THE

SPORTING MAGAZINE;

OR,

MONTHLY CALENDAR

OF THE

TRANSACTIONS

OF

THE TURF, THE CHASE,

And every other Diversion interesting to

THE MAN OF PLEASURE, ENTERPRISE, AND SPIRIT.

JULY, 1809.

CONTAINING

Cart Horses—an Etching...... *Page* 155
Trespass Causes, under the Game Laws—Ridge *v.* Salter........156
Earl of Essex *v.* Capel..157
Match of Captain Barclay..........160
On Articles for Hunters' Plates 161
Satirical Remarks on Modern Pedestrianism....................162
The Gentleman's Veterinary Monitor 164
Hints to Purchasers of Horses..165
Mode of attacking the Bear in Finland......................169
Pedigree, Performances, and Produce, of Sorcerer..................170
Huntington Festival.............172
Mr. Gundy's Pedigree 172
Horse Cause—Botham *v.* Dixon....173
Trial of Miss Mary Yorke, for shooting at Richard Coombes .... .174
Winners of Royal Plates at Newmarket..........................178
On Duelling.....................180
New Dramatic Pieces—Up All Night 183
Killing No Murder 184
The Foundling of the Forest 188
Court-Martial on Officers of the Somerset Militia 189
Hint to Duellists 189
Horse-Cause—Hewison *versus* Southwell 189
Cocking—at Newcastle ...... *Page* 190
Stamford 190
Nantwich 190
Preston 190
Abridged Account of Brighton Races 191
Races appointed in 1809..........191
Feast of Wit.....................192
A Tried Character..............193
Sporting Intelligence 194
Ass-Race against Time..........195
Extraordinary Race 195
Sparring 195
Pedestrianism 197
Pigeon Shooting 199
Cricket Matches 200

POETRY.

Simon Lee, the old Huntsman......201
Songs in—Up All Night 202
Foundling of the Forest..202
Killing No Murder......203
Anacreontic.....................204
To Zephyr 204

Racing Calendar—Tenbury, Bibury, Stamford, Nantwich, Irvine, Stockbridge, Bridgnorth, Lancaster, Ludlow, and Newmarket July Meeting ......41—52

Embellished with—I. An Etching of Cart Horses.—II. Manner of Hunting the Bear in Finland, an Engraving.

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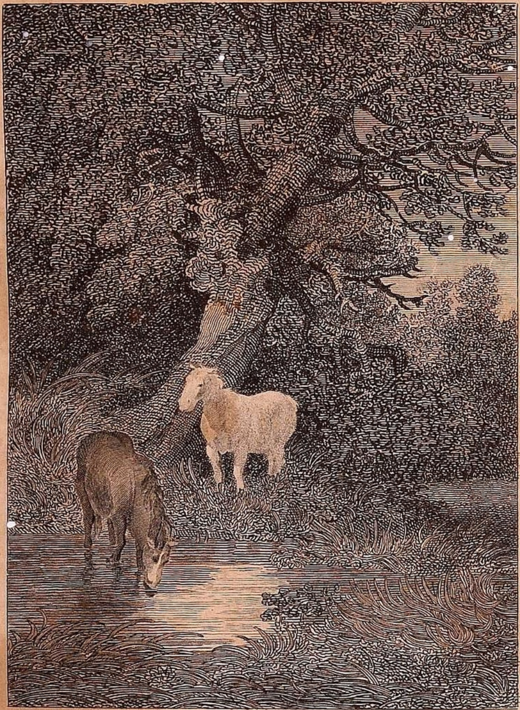
TO CORRESPONDENTS.

Our Correspondent, who dates his Letter from the Cross Keys, Gracechurch-street, will find an answer to his remarks, relative to our Copper-Plates, under the head of "*Cart Horses,*" in the third page of this Number.—His other observations will be attended to.

We duly received the Article of *Disputes between Gentlemen on Points of Honour,* but lament the being obliged to omit it this month, on account of the length of Articles on Fox-Hunting, in the succeeding pages of the present half-sheet.

The Letters of "a Sportsman," and "a Well-wishing Sportsman," shall not go unheeded.

Gentlemen disposed to favour the Publisher of this Magazine with Original Paintings of Sporting Subjects, are assured that the utmost care shall be taken of them, and of their being safely returned. The Engravings thus taken, will be executed by the most approved Artists, and in the first style of excellence.



J. Ward R.A. pinx.t Etched by H.R. Cook.

Cart Horses.

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THE SPORTING MAGAZINE;

FOR JULY, 1809.

CART HORSES.

An Etching by H. R. Cook, from a Painting by Mr. Ward.

WE have occasionally, as before remarked, given a latitude to our engravers, to select from artists who will favour them with the use of pictures, such subjects as they deem applicable to our work; and this is precisely the case with the present etching, which is from a beautiful painting by Mr. Ward.—It may not, perhaps, convey the *spirit*, nor can it the colouring of the original: but be this as it may, we shall, as soon as one or two plates that are bespoken, of natural history, &c. are disposed of in the Magazine, adopt an entire new system in respect to our engravings: they will be mostly from sporting subjects of the day, always original, and engraved in a superior style; and when any are very expensive in the painting, and richly engraved, only one plate per month will be given.

GAME LAWS, FOX-HUNTING, &c.

WE notice, with not a little concern, a storm blowing up between the noblemen and gentlemen, fox-hunters in the neighbourhood of London, and certain other noblemen and gentlemen, landholders in the same district; the former claiming the ancient right of following their game wherever it goes, and the latter insisting that no *trespass* on their lands, on any such pretence, shall be allowed.

Two or three causes for trespasses of this nature, have been tried at the recent Assizes in distant counties; but we shall here confine ourselves to the occurrences that have taken place relative to the Berkeley Hunt.

"NOTICE.—TEN GUINEAS REWARD.

"Whereas the noblemen, gentlemen, farmers, and other proprietors and occupiers of land, in the parishes of Harrow, Pinner, Watford, Stanmore, and their vicinities, who have entered into certain resolutions for the protection of their property against trespasses, are fully determined to take every legal step to carry the same into effect; and whereas the practice of turning out foxes is an indictable offence, notice is hereby given, that the above reward will be paid to any person who shall give such information of any offender or offenders, guilty of turning out any fox or foxes, within the above districts, as shall be the means of bringing him or them to conviction.—The same to be paid upon such conviction, by Mr. Wilkinson, Red-Lion-square, London.—June 24, 1809."

WRIT OF ENQUIRY,

Executed before Mr. Burchall, Deputy Sheriff of the County of Middlesex, July 17, 1809.

Ridge *v.* Salter.

Mr. Harrison stated, that this was a species of action which very rarely came before a Jury of a county, but particularly the county of Middlesex.

It was an action brought by Mr. Ridge, a gentleman of large landed property in the neighbourhood of Edgware, against Samuel Salter, Esq. and the object of the action was, to recover damages for an injury sustained by the defendant coming upon the lands of the plaintiff, with hounds and horses, for the purpose of turning out and hunting foxes. The learned Counsel observed, that an action like the present might seem extraordinary to those who considered hunting as a lawful amusement. It certainly was an amusement less injurious, when enjoyed by those persons at a distance from town, who, having landed property themselves, knew how to partake of the diversion without injuring the property of others: but it was a very different thing when such an amusement was resorted to in the neighbourhood of London, where, from the value of the land, and a variety of circumstances, the injury far exceeded what could possibly be sustained in the country.

The defendant, Mr. Salter, was a member of what was formerly called the Berkeley Hunt, and was now a part proprietor of the pack of hounds which formerly belonged to Lord Berkeley. When the pack was hunted by his Lordship, they drew for the foxes at a considerable distance from London, and though they did injury, it was comparatively trifling to what was the subject of the present action. The hounds were now turned out within ten miles of London, and notice was given of the time; the consequence was, that every horse-dealer, every clerk, in short every person who could procure an animal with four legs and a tail, was sure to attend this hunt, to the amount of perhaps two hundred or more. These persons having no land of their own, had of course but little regard for that of others, and they galloped indiscriminately over the fields of the plaintiff, to drain which considerable sums of money had been expended. They had thereby not only destroyed the effect of the measures he had adopted for draining and cultivating his land, but they had rendered the land itself less valuable to the proprietor for some time to come. Having dwelt more at large on the nature of the injury, he concluded by trusting the Jury would give such damages as would prevent a repetition of it.

It was proved that the defendant had received notice not to bring his hounds upon the plaintiff's lands. It was also proved that the plaintiff's lands had been in an expensive mode of drainage, which had been rendered ineffectual by the trampling of the horses—that the defendant was seen hunting after he had been warned off, and that the person who had warned him, instead of being attended to, had been threatened with a horse-whipping.

Mr. Stewart addressed the Jury on behalf of the defendant; he maintained that hunting was a lawful recreation; that by the ancient law every man was sanctioned in following the hounds over the lands of others, doing as little harm as possible.—He admitted that the defendant

fendant had no right to go upon the plaintiff's lands and turn out the foxes, and for having done so he had suffered judgment to go by default; but he felt perfectly assured the jury would not consider this a case which called for vindictive damages.

Mr. Deputy Sheriff stated, that the defendant had admitted the trespass, and the only question was, the *quantum* of damages. The trespass was not excusable by its having been inadvertent—it was a wilful trespass, committed after warning had been given by the plaintiff.

The Jury consulted a short time, and returned a verdict for the plaintiff—Damages, Fifty Pounds.

HERTFORD ASSIZES, JULY 24.

Before Lord Ellenborough and a Special Jury.

George Earl of Essex *v.* the Hon. and Rev. Wm. Capel.

This was a cause which excited a considerable degree of interest, and there was scarcely a gentleman of rank, for many miles round, who did not attend for the purpose of hearing it.

Mr. Serjeant Shepherd addressed the Jury, on the part of the plaintiff, in a most able and eloquent speech. He lamented that the Jury should be called upon to decide a question of this nature, between two persons who stood in so near a degree of relationship to each other; but inasmuch as the Earl of Essex was under the necessity of bringing this action for the purpose of protecting himself in the enjoyment of his property, and as Mr. Capel had stood forward as the manager and principal person of the Berkeley Hunt, he had rendered it absolutely necessary, that he should be the first person attacked by the Earl of Essex. The complaint was, that the defendant had committed a trespass, in breaking and entering his grounds, called Cashiobury Park, and, with horses and hounds, destroyed the grass and herbage, and breaking down his fences. The defendant justified himself this way: he said, that he had unkennelled a fox on the ground which was not the property of the Earl of Essex, and that the fox being a noxious animal, and liable to do mischief, he, for the purpose of killing and destroying him, and as the most effectual means of doing so, broke and entered the park, with hounds and horses, and hunted the fox. The answer of the Earl of Essex to this was, that the defendant's object was not to destroy the fox—and that, if it were so, hunting was not the most effectual means of killing the animal; but that, on the contrary, his motive was the amusement and diversion afforded by the chase. The learned Serjeant observed, that the object professed by the defendant in his plea was perfectly ridiculous and absurd. He would have it supposed, that himself, and the gentlemen composing the Berkeley Hunt, had associated themselves, not for their amusement or diversion, but the pure patriotic desire of destroying these noxious animals. The defendant would have the Jury believe, that clergymen were descending from their pulpits, bankers neglecting their counting-houses, brewers running away from their breweries, and all flocking from London, for no other purpose than to confer the obligation on the people of Herts, of freeing the country from noxious vermin. So far from its being their object to destroy foxes, he rather thought, if they

they were to start a fox, and some man happening to have a gun in his hand, were to fall in with their patriotic motive, and were to shoot the fox, he would meet with but *lenten* entertainment. In fact, every one knew that their object was the diversion of the chase, and that they did not care three farthings whether the fox were killed or not, except for the triumph of his brush. The object of rooting them out of the country was absurd; for every one knew that they wished to increase them, in order to have the pleasure of running them to death; but to put it beyond all doubt in this case, he should prove that Lord Essex, as one of the proprietors of land, had employed a man to take the most effectual mode of killing foxes, which was by catching them in a trap, or shooting them. These two modes Mr. Capel did not like, and spoke to the man upon the subject; but the man was steady, and he went on shooting wherever his bullets would reach, and catching wherever his traps would take. Mr. Capel then said, "I do not ask you not to destroy the foxes, but I will tell you what, I will send you a barrel of ale to drink success to the Berkeley Hunt." Now when a man said to another "I do not ask you to do a particular thing," it was generally the most expressive way of indicating a wish to have it done.—It put him in mind of a story of a Quaker, who, being on board of a ship—a merchant ship—the Master observed to him, that there was a French row-boat coming towards them, no doubt with a design to board them; but, added the Master, with an appropriate oath or two, "I'll run the fellows down." The Quaker said, "Oh! surely you won't do such a wicked thing as to destroy so many poor peoples' lives." "Yes, but I will," exclaimed the Master. "I would not," replied the Quaker, "for the world; but I will tell thee what, friend, if I were inclined to do such thing, I would *starboard my helm.*" The Master did starboard the helm, and the boat was run down. The Learned Serjeant repeated, that the object of the defendant and the gentlemen of the Berkeley Club was to preserve the foxes, in order to hunt them; very like raising the devil for the purpose of laying him. After some other general remarks, he concluded by expressing his perfect confidence, that the verdict of the Jury would prevent a repetition of the injury.

Two witnesses, one of the name of R. Pugh, his Lordship's bailiff, and John Hollinshead, his Lordship's gamekeeper, clearly proved the facts of the case; and the last witness distinctly stated, that he had been asked by the defendant, Mr. Capel, not to destroy foxes.

Lord Ellenborough interrupted the further progress of the cause, observing, that it was a contention against all nature and conviction. Could it be supposed that gentlemen hunted for the purpose of killing vermin, and not for their diversion? Could the Jury be desired to say, upon their oaths, that the defendant was actuated by any other motive than a desire to enjoy the pleasures of the chase?—He had wished to suffer the cause to go to a certain extent, before he expressed his opinion upon the subject. Even if the dogs might be allowed to run, was there any pretence for saying that where the dogs did not go, any person could ride and break down the fences? The defendant said, that he had not committed the trespass for the sake of the diversion of the chase, but as the

the only effectual way of killing and destroying the fox; now, could any man of common sense hesitate in saying, that the principal motive was not the killing vermin, but the sport? It was a sport the law of the land would not justify, and there should not be a new law of the land accommodated to the pleasures and amusements of these gentlemen. The pleasures of the chase might be taken when there was the consent of others who were injured by them, but they must be subservient to such consent. There might be such a nuisance by a noxious animal, as would justify the attempt to destroy him by running him to his earth, but that would not justify the digging for him afterwards; that had been settled to be law. But, even if an animal might be pursued with dogs, it did not follow that fifty or sixty persons had therefore a right to trespass on other people's lands.—He could not see what there was in the case of Fentham *v.* Grundy, (1st Term Rep.) to warrant the opinion, that any person might follow the hounds over the lands of another. He had looked into that case, and had referred to the others quoted in it.—Even in the case chiefly relied on, it was stated that a man might not hunt for his pleasure or profit, but only to destroy such noxious animals as were injurious to the *common weal*; therefore the good of the public must be the *governing* motive—he would ask the Jury whether that could have been the motive of the defendant? The last witness had expressly stated, that he wished rather to nourish these noxious animals than destroy them.

Mr. Serjeant Best—" After what your Lordship has said, I will not occupy the time of your Lordship or the Jury with one word more."

Lord Ellenborough — " There should be nominal damages; it is only meant to quiet a right. The plaintiff's Counsel tell me they will be satisfied with nominal damages; therefore nominal damages will do. If this trespass be repeated, it will be a different thing."

The Jury consulted a short time, and returned a verdict for the plaintiff, with 40s. damages.

The foreman stated, that it was the wish of the Jury to give exemplary damages; but understanding that his Lordship and the plaintiff acquiesced, they had only given 40s.

Lord Ellenborough—" You do very right to find 40s.; though, in this case, as there is a special justification on the record, 1s. damages would answer the purpose of carrying the costs. I should, however, still advise the damages to be 40s. but that there are seven other actions depending, and the effect of your verdict would be, not to give one 40s. but 40s. seven times over. One shilling damages will answer every purpose; and I shall, if necessary, certify that the trespass was wilful and malicious."

The Jury then altered their verdict to 1s. damages.

The Counsel for the plaintiff, were Mr. Serjeant Shepherd, Mr. Garrow, and Mr. Harrison; Attorney, Mr. Wilkinson, Red Lion-square; and for the defendant, Mr. Serjeant Best, Mr. Marryatt, and Mr. Stewart; Attorneys, Messrs. Robinson, Piccadilly.

The Earl of Essex, v. *Gosling, Esq.*—This was a cause of the same description, and the Counsel for the defendant consented that a similar verdict should be recorded.

CAP-

CAPTAIN BARCLAY.

WE all know that Captain Barclay made a bet, to walk a thousand miles in a thousand successive hours; and we all know that he started at Newmarket on the 1st of June; that he continued his efforts until the 12th of July, and that he won his wager.—Being somewhat anxious to know if any genuine account of this extraordinary feat would be published as coming from the Captain himself, we made some enquiry, and all that could be learned was, that a journal had been kept, either by Captain Barclay or some person for him, and that the observations it contained were chiefly upon the state of the weather, &c. Should this hereafter fall in our way, we shall avail ourselves of such parts of it as may be deemed interesting.

The following copy of a letter, published pending the match, is all that we have here room to furnish.

TO THE EDITORS.

GENTLEMEN—As many untrue reports have been published respecting this celebrated pedestrian since the commencement of his performance here, I beg leave to forward the following particulars for the information of our readers.—Capt. Barclay is about thirty years of age, five feet ten inches high, and weighed, as he walked, at the time he started, twelve stone thirteen pounds. He lives at a house adjoining Mr. Parkinson's, the stone mason, as you enter Newmarket form Norwich, from which his course is extended across the turnpike, in a straight line along the heath half a mile, having a lamp at each extremity, and eight others at regular distances between. The ground is smooth, even, and has a beautiful short sward, that you might see a sixpence roll a hundred yards before you. He started the first of June, at twenty minutes before one o'clock in the morning for his first hour; and a few minutes after one for the second hour, which subjects him to the odd numbers of 3, 5, 7, 9, 11, throughout the whole time; his last mile will be of course according to this, within the twenty minutes after three o'clock in the afternoon of the 12th of July. I have accompanied the Captain the last three double rounds up to this time, and have found he is about eighteen minutes walking his mile, the latter part of which he performs with much more ease than the first, having much stiffness in his legs and feet at starting. He breakfasts regularly at five o'clock, on animal food, tea, or coffee, and good strong ale; at twelve o'clock, luncheon of roast or broiled beef, and strong ale; at six o'clock, dinner of roast beef or mutton, two glasses of port wine, and strong ale; as soon as he has finished his eleven o'clock round he sups on roast or broiled meat, (no boiled meat) and ale as before; and it is but justice to the private families of Newmarket to say, the ale is gratuitously furnished by them principally, as being better than that from the public inns. In the course of the day, when thirsty, Madeira and water is his beverage.

At all times when he is inclined to sleep, he goes to bed, at others he rests his legs on a sofa, and reads or converses with his friends. His dress is a loose flannel waistcoat with sleeves, flannel breeches, worsted stockings, and drab cloth shoes with socks in dry weather, and leather shoes in wet. The general betting here is five to one in his favour. Capt. B. stands the 1000 guineas himself, and has bets depending beside to a large amount.

Newmarket, July 5th, 1809.

ON

ON ARTICLES FOR HUNTERS' PLATES.

THE following is extracted from the Irish Racing Calendar, for June 24, 1809:

To the Editors of the Racing Calendar.

"SIRS—So much misunderstanding has occurred, from the various ways the articles for Hunters' Plates are worded, and so many references to the Stewards of the Turf Club have taken place in consequence, that, to prevent such in future, I submit to the public, whether an article, to be universally adopted at all the country courses in Ireland, would not answer this purpose, and give sufficient encouragement to that most valuable breed of horses, the strong racing hunter, equally adapted for the turf, field, road, and draft.

"Some articles disqualify horses that ever started for a Racer's Plate; this is wrong, for an indifferent racer, provided he has strong bone, generally makes an excellent hunter, and should not, except he has won a Racer's Plate, (not a match or sweepstakes) be excluded from running for a fair Hunters' Plate, if otherwise duly qualified.

"Other articles make it necessary that different leaps should be taken previous to, as in the running; now this is equally an error, for several real good hunters have been known to refuse their leaps in a crowd, and when uncheered by the cry of the hounds. Many a plate has been won by a horse of very inferior merit to his competitors, by their baulking the leaps, and the company thereby disappointed in a good race, which was what they came to see. I think that an affidavit or certificate from the known owner of a well-established pack of hounds, or the president of a club, should be produced before starting—'that the named horse was in all respects a fair hunter, and fairly hunted six times at least the preceding season with his hounds.' A brief detail of all the certificates should be set out in the account of the races, and the notoriety of this circumstance would deter any person (if such could be found) from giving an untrue certificate. It will be allowed by every one, that the chief object of the steward of a country race-course should be, to have his articles such as will induce the greatest number of gentlemen keeping horses for the turf, to send them to his meeting, and thereby afford the greatest prospect of good sport for his subscribers.—With this consideration, and the addition of high weights, which tend in a great measure to exclude racers, I submit to your numerous subscribers, whether the following article would not answer every purpose, the weights and distance to be regulated by the Stewards. I have named three-mile heats, which are, in my opinion, long enough for hunters; and the weights are the same as for the King's Plate at Newmarket, the first Spring Meeting. Where there are two Hunters' Plates, it is certainly allowable to confine one to county-bred horses, otherwise not; and the Plate should be at least 50 or 60gs. every article of expenditure being double at least, to what they were when the plates were 50l. I would never mount gentlemen, as interfering with the profession of good servants. "NIMROD.

"ARTICLE.

"Sixty guineas for hunters that were fairly hunted last season, to be certified as such by the affidavit (or

(or certificate) of the owner of a regular pack of hounds, according to the foregoing certificate, and that never won any thing but a fair Hunters' Plate or prize, matches and sweepstakes excepted; weight for age; four years old, 11st. five years old, 11st. 9lb. six years old, and aged, 12st: three-mile heats, fair riding."

REMARKS
ON
MODERN PEDESTRIANISM.

"They leap, exulting, like the bounding roe."

MANY of our modern gentlemen seem to take infinite delight in reversing the original order of things; for instance, placing the heels where the head should be, as nothing possibly can confer so much honour upon a gentleman, as being able to vie with a Venetian running footman of former times, who would post at the rate of some eight miles an hour, with a dozen pounds weight of lead clapped in each pocket, by way of expediting his progress. In these remarks, however, I do not intend to level the least sarcasm at *pedestrianism*, which, if properly attended to, may, in the lapse of time, render the properties of the canine race of no utility whatsoever; nor, indeed, does it at all signify how the game be caught, for a troop of Mercury-heeled puppies would do just as well as a full pack of hounds. To be sure I am at a loss on the score of *scent*, and the nose is confessedly a most material point to be considered, unless to this *leg exercise* we allow the man to possess the keen sight of the greyhound, which will remove the objection, though the odds are much against him, as he makes so little use of his eyes as never to see that which he ought to do.

But in order the better to establish a *running system*, I shall have recourse to the Classics, to prove, that the pursuit will confer honour upon its practitioners; for instance, has not Ovid recorded the gallopings of the lovely Atalanta, who, being determined to live in a state of celibacy, positively ran away from the male sex? This establishes the vast antiquity of running, and nothing can possibly stand the test of enquiry, which has not such a voucher as antiquity to bear it out against the growlings of scepticism.

Athletic exercises have, in all ages, been considered conducive to the health, strength, and perfection, of youthful citizens, and consequently to the welfare of the state. In this point of view, the feats of our pedestrian candidates for fame, who run against old Time himself, are certainly entitled to popular applause; and should the passion for running become general, we may soon expect to behold an exhibition, unparalleled even at the Olympic games formerly celebrated in Greece. The art of running is, like that of dancing, acquirable from a master; but gracefulness of motion is not essential to the perfection of the runner, swiftness being the principal requisite. Hence, whether the performer display his agility by bounding along on the light fantastic toe, or waddling with the zig-zag respectability of a corpulent Alderman, if he can first reach the destined goal within a given period of time, he is rewarded, not with a civic crown—but a purse of gold.

Captain

Captain Barclay has obtained much notoriety, by an exhibition of his personal agility; he seems, from his attainments, eminently qualified to fill the office of running footman—an establishment, the revival of which would give permanence to this gymnastic exercise; but it is to be hoped that he will find few imitators in the British army. Celerity of movement might, indeed, be very advantageous in the field of battle, and a column, advancing at the rate of ten miles an hour, might attack the artillery of the enemy with success; but should a sudden panic on any occasion seize the troops, they might prove their agility by running away, to the great disgrace of our national honour. The introduction of Captain Barclay's improvement in the motion of legs and feet into the army, might therefore be attended with disastrous consequences.

This excellent art, however, will probably supersede equestrian performances on the turf. The horse will no longer be tortured for the amusement of man; but fellow bipeds, equipped *in querpo*, will start for the prize, and, with the fleetness of a North-American Indian, bound along the lists, amid the acclamations and cheers of admiring multitudes. The competition between man and man in the modern foot-race is certainly fair; but, for the better regulation of the movements of public runners, it might be expedient that an amateur, mounted on an ass, should keep pace with the performers, and, by the judicious application of a whip, prevent any of the tricks belonging to the turf, such as crossing and jostling, that gamesters might have a fair chance for their money. As for those gymnastic heroes, who, like Captain Barclay, merely run against old Time, they are, indeed, unentitled to the fame they *pant* for. It may be thought ungenerous to oppose youthful agility to the hobbling pace of the old gentleman, yet, as he is well known to be sound in wind, he probably will run the briskest of them down at last.

The art of running only requires the sanction of some man of quality, to establish it at the head of all our modern amusements. There is a certain sameness in other divertisements, which must become irksome to the spectator. But in the noble exhibitions of the foot-race there will be no danger of satiety, for the art of running may be diversified by such innumerable modifications, that it will appear "ever charming, ever new." For instance, let the competitors for fame in the celerity of motion always be selected according to the strictest laws of decorum, consequently a lord and a lady cannot, without great impropriety, start against each other.

But if persons of rank and respectability choose to take an airing on their own legs, instead of an equestrian exhibition, for the *amusement* of the public, there is no necessity that they should be of equal size and weight. Every individual must be the best judge of his own muscular powers; and if the Duke of Lumber should think proper to challenge my Lord Lath, to run four times round the canal in St. James's Park, for 10,000l. the contrast in their figure would only render the diversion more entertaining to the admiring spectators.

As the ladies have ever been emulous to distinguish themselves, and their proficiency in dancing is an

an excellent preparative to running, we may soon hope to see them exhibit themselves in the gymnastic lists, as candidates for that public admiration which seems to be the great business of their lives. The disparity between the competitors will doubtless be very amusing, as well as edifying.—When we behold the fat Duchess of ——, with a face like Cynthia in all her glory, boldly approach the promenade in Kensington Gardens, in open defiance of public decorum, and, unzoned and divested of superfluous drapery, prepare for the race, in opposition to a slim vestal from ———, how shall we be able to restrain our risibility? The running ladies will, however, labour under one great disadvantage. Their muscular exertions must affect the lungs, and, in a great degree, suspend the exercise of their blandiloquence, not only during the race, but for some minutes after its termination.

On a general view of the national utility resulting from this modern amusement, it appears admirably well calculated for the exercise of the legs of our nobility, gentry, and merchants, and may operate as an efficacious remedy for indolence, *alias* laziness. It will also be conducive to the benefit of those ingenious individuals who devote their talents to the fabrication of ornaments; and we may soon expect to see, in the advertisements of mantua-makers, milliners, hosiers, and tailors, a list of *patent bounding corsets*, *Atalanta robes*, and *winged bonnets*, for the equipment of female adventurers in the lists of gymnastic glory; while *flying trowsers*, *elastic jackets*, and *feathered buskins*, fit for Mercury himself, will contribute at once to the adornment, the swiftness, and the reputation, of our noble and ignoble racers.

THE GENTLEMAN's VETERINARY MONITOR, &c. &c.

WE have a small volume before us, lately published by Yorick Wilson, Veterinary Surgeon, of Lemington, near Warwick:—its full and perfect title is as follows: "The Gentleman's Veterinary Monitor, and Stable Guide; a concise treatise on the various diseases of horses, their symptoms, and most humane methods of cure: calculated to enable persons to form an accurate judgment of the diseases of their own horses, and apply proper remedies, without the assistance of a farrier. With useful observations on the breeding and training of colts; hints to the purchasers of horses; general directions for riding, and using a horse on a journey; stable management, &c.—By Yorick Wilson, Veterinary Surgeon, Lemington, near Warwick."

In this little volume we find the following subjects treated on:—Hints to purchasers of horses; observations on breeding, and on training colts; directions for riding, using a horse on a journey, stable management, the choice of a groom, gelding, docking, nicking:—Diseases of Horses, and Remedies for their cure, viz.—Anticor, abscesses, anbury, apoplexy, bad appetite, barbs, blood spavin, bone spavin, bots or worms, bloody flux, broken wind, capellets or capped hocks, colds, consumption, convulsions, chest-founder, corns, cough, crown-scab, curb, cracked heel, dropsy, diabetes, eyes, farcin, fistula, fevers, foundered in the feet, glanders, gonorrhœa, grease, gangrene, gutta serena,

serena, hide-bound, head-ach, hoof-bound, haw in the eye, hungry evil, lampas, lethargy, laxity, mallenders, mange, molten grease, osselets, poll evil, quittor-bone, ring-bone, rupture, rats-tail, sit-fasts, sallenders, strains, splents, stranguary and disordered kidnies, strangles, surfeit, vives, warbles, yellows.

At present, we shall only give Mr. Wilson's hints to the purchasers of horses, and reserve to ourselves the consideration of another extract in a future Magazine.

HINTS TO THE PURCHASERS OF HORSES.

To purchase a horse free from blemish and imperfection, is, by experience, found to be a task more difficult and arduous than the whole art of horsemanship; and I believe there is no kind of traffic wherein there are so many deceptions practised, as in the sale of horses. It may not be unserviceable, therefore, to put down a few short directions on this subject, by way of precaution to the unwary, and such as have been the dupes of dealers and jockies, whose business it is, to impose on the credulity of the novice, by disguising every imperfection in the beast, and discovering imaginary beauties.

I remember once to have seen a horse, which, I judged from his appearance, had been in several very indifferent hands: excessive labour had evidently been his portion, and many an ungrateful blow his reward; but, notwithstanding this, the remains of a most beautiful symmetry were yet discoverable in him. The dealer, in my presence, whipped the animal so cruelly, that I could not forbear remonstrating with him on the severity of his treatment. To which he replied, "that he had certainly the same right as other tradesmen, to set off his commodity in the most advantageous light possible; and who would be to blame," he asked, "but myself, was I not to exercise that right: but if you know not the utility of what you saw, know then," continued he, (at the same instant giving a crack with his whip, which made the poor scared creature ready to fly through the manger) "that it was to collect his scattered spirits together, in case a purchaser should drop in."—"A fig for the humanity of the world!" said I; "and is it thus every poor devil of a horse that unfortunately falls into thy hands, is to be whipped out of his skin, merely for the sake of thy advantage?" Upon which he left the stable. The horse looked behind him the moment he heard his master quit the stable. On walking up, in order to cherish him, I observed the tears rolling down his face; which operated so strongly on my affections, that I declared I would never more see an animal beaten unjustly, without punishing the offender.

There are many inconveniences arising from an immoderate use of the whip, which might be easily obviated, were it used rather sparingly, and with a little more lenity than it commonly is: for, instead of doing any real good, it not only makes the horse fearful of every motion you make about him, but it becomes very dangerous to go near him; as by his uneasiness, and shifting from side to side, (expecting every moment a beating) he may probably throw you down, and trample you under his feet. I recollect witnessing a distressing scene, which happened to a man who made it a constant rule to whip the horses he had on sale three

three or four times a day, to make them shew more life and spirits, as he termed it; when a horse struck him down, and almost trampled him to death.

Before you make choice of a horse, you should consider for what occupation you design him; and acquaint yourself with all the excellencies and imperfections of these useful creatures: for, as the moderately thin-shouldered, long-backed, tall, and flat-ribbed horse, is best adapted for racing; the short-backed, small-jointed, and round-barrelled horse, for travel; the moderately large and lean head, a large windpipe that hangs rather loose from the fleshy pannicle, small close nostrils, high withers, and the generality of the shape strong and well knit together, for hunting; the broad-backed, full-shouldered, thick-withered, wide-breasted horse, provided his legs are short-jointed, straight, strong, and well-proportioned, for a collar; so the small horse, with a short back, small head, short-jointed, and thin legs, of a well-proportioned and handsome shape, should be chosen for ease, and summer pleasure.

On entering the stable, in order to select a horse, the first thing necessary to be done, is, to see how he stands on his legs; and, particularly, that no person is in the stable with him; for, trust me, if there is any defect in either of those members, you will soon discover it by his shifting the position, and but just touching the ground with the toe of the leg affected.

Having satisfied yourself as to this particular, order him to be taken into some yard, or open place; but remember to be the last in the stable, or the dealer, or some of his attendants, will make it their business to fig him without your knowledge, unless you keep an attentive eye to their conduct: for these fellows being in the constant practice of it, are so expert, that one would imagine it was done by a kind of slight of hand.

The practice of figging prevails throughout the kingdom, and is so cruel in its nature, that I think, in humanity, it ought to be disused. It is done by thrusting a piece of ginger up the fundament, which makes the horse carry his tail high, and appear to greater advantage, though but for a very short time.

Every person must be aware, that the subtle fiery nature of the ginger must cause a very uncomfortable sensation in that part: for the horse cannot stand still a moment while it remains there, consequently it is unnecessarily teazing a horse, and setting but a very temporary advantage on him, just so long as the dealer can wring the money out of your purses; for the very next day, to your great chagrin, he will look five pounds worse for the experiment.

Countenance.—The horse being now before you in an open place, and not near any white wall, take your station about three or four paces off, in a line with his breast; observe his countenance, that it is cheerful, sprightly, and free from heaviness and gloom: that the ears are thin, small, evenly set, and terminate in a point; for if they are thick, long, too closely set to each other, and drooping, it is not only a great deformity, but such a horse will be dull, heavy, and sleepy.

Face.—The face should be lean, and free from flesh; the forehead broad, and rather swelling outward. A star or blaze thereon are considered marks of beauty and courage; but if the forehead is flat,

flat, the face in general flat and cloudy, and a baldness appear on the nose, they are deformities.

Eyes.—If the eyes are round, black, shining, not too big, but rather protuberant, so that they move about their orbits with a quick and lively motion, and in doing it little or none of the whites appear, they are good. But if, on the contrary, they look of a yellow cast, dull, moist, and sunk—they are bad.

Nostrils.—The nostrils should not be so large as, upon every little effort, to occasion the muzzle to become wide, distended, and the inside redness to appear, that being a sure sign of a short wind, and weakness. The muzzle of the nostrils should be small, and the inside free from moisture; the upper lip should not hang over the lower one, but both meet evenly together; and particularly observe that the horse is not shallow-mouthed.

Chest. — From the head, look down to the chest: if it is broad, prominent, and muscular, it denotes beauty and strength; whereas the narrow chest is an evidence of deformity and weakness; the legs, being set too close together, will interfere with the motion of each other, and thereby greatly hinder speed, cause the horse to stumble, and sometimes to fall.

Thighs.—The thighs should be fleshy, sinewy, and moderately outward swelling; so that, upon any little strain, or movement of the body, the muscles thereof may be clearly discerned: for they are signs of strength; the contrary, of weakness.

Knees.—Particular care should be taken in examining the knees; that they are lean, sinewy, close-knit, and evenly proportioned: but if they appear swelled, and feel soft as if a quantity of wind had collected between the skin and flesh; or, if one knee appears larger than the other, or looks thin and bristly, the hair broken, &c.—These are true marks of a stumbler, and such a horse ought to be rejected.

Pasterns.—In examining the pasterns, see that they are flat, lean, and free from every kind of scab, seam, and swellings. They should be strong, straight, and rather short, for a long pastern shews weakness; and such a horse cannot perform a long journey without tiring.

Hoofs.—Nothing is more essentially necessary to be observed in the purchasing a horse, than the formation of the hoofs, which are the grand foundation of the whole mechanism of the animal; for, if they are bad, the superstructure, however finely proportioned, cannot possibly be good.

The hoofs should be smooth, tough, rather long, deep at the heel, and either black or dark brown: the former are the best proof against the effects of hard and bad roads. The white hoofs are tender, and subject to foundering.—The light brown ones are brittle, consequently will not carry a shoe well. A round hoof proceeds from contraction, and the flat ones shew foundering.

If the hair on the coronet, or top of the hoof, lies smooth, close, and the flesh even therewith, it is perfect; but if the hair on that part looks thin, bristly, with little scales or scabs on the skin, and the flesh swelling over the hoof, I would advise you not to buy such a horse, as they are the forerunners of ring-bones, crown-scabs, quittor-bones, &c.

Be particularly careful in examining the bottom of the feet; placing your thumb on the frog, compress

compress it rather sharply, in order to discover any defect that might be there;—that they are large, spreading, open, and sound. I believe, I need not remind you, that the spongy, running, and decayed frogs are to be rejected.

Neck.—You are now to stand about three paces off, in a line with the horse's shoulder, and take a side view of him: the neck should be small, and rather short than long; and particularly observe, that no swelling appears on the setting on of the head. The shoulders should lie rather backward, and come round with a good sweep, and rise well up to the withers.

A horse low in the shoulders will be continually getting the saddle on his neck, unless a cupper is affixed to it. This, beside being very ungraceful, will cause him to stumble, and very probably to break down.

Tail.—The tail should stand rather high, flat, and bending a little inward; which, if the horse has a good buttock, it will do: but on a bad buttock, a hog or goose rump, a tail cannot stand well—They are objectionable deformities.

Bow-legs.—You are now to take a view of the hind parts, standing at a convenient distance from the horse, that you may more advantageously see that the hips are broad, round, and even; also that the hind legs are lean, flat, and sinewy. Be careful that they are not fat or swelled, and that one elbow of the hock is not larger than the other; that no seams or scars appear thereon; and that he is not bow-legged.

Age.—Various are the arts used by dealers, to prevent your discovering the true age of a horse by his teeth. It is therefore useless to write a long dissertation on that subject, as it would serve to perplex my reader, rather than to enlighten his judgment.

The shortest and most certain method to judge whether a horse is young or old, is this:—Turn back both lips; if the teeth are small, white, glossy, and fit evenly together,—he is young; but if they are large, long, yellow, irregularly set, and the top row project over the bottom, the tusks yellow, or of a blackish colour,—he is old.

Walk and trot in hand.—Having finished your examination of the horse, see him walk and trot in hand; and let not the groom haul his head about, nor be too free with his whip; but that he leads him carelessly by the extreme end of the halter or bridle, as, by that means you will discover any defect that might possibly be in the joints, or if he be a stumbler.

Observe the motion of the legs: that the near fore leg and the far hind leg, or the far fore leg and the near hind leg, move, or shoot, at one and the same time; and that the hind legs do not obstruct the motion of the fore ones, but that all act in unison.

Walk and trot mounted.—Order the groom to take his back, and, standing behind him, see how he walks: that he carries his head even, and the bit level in his mouth; that he does not bear down, nor pull on either side; but walks and trots straight, lifting his legs well off the ground with boldness, at the same time managing all smoothly.

The gallop, and interfering.—If a horse makes a clattering noise in his gallop, he interferes; that is, by treading too long, or making too much play with the hind leg, he strikes the toes thereof against the corners of the shoes before, which

Brook del. W. Nicholls sculp.

Bear Hunting in Finland.

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which occasions a very disagreeable noise.

It is a natural imperfection, occasioned by uneven proportion; for, on critically examining such a horse, you will find him not only low in the shoulders, which causes weakness in the fore legs, but that the hind ones will be longest.

A horse, to gallop well, should lead off with his far fore foot, and lift his feet well off the ground, at the same time not raising them too high; and, in spreading his fore legs, he should follow even and lightly with the hind ones, without cutting under the knee, or injuring the back sinews of the fore ones.

Having seen the different paces of the horse, and formed a good opinion of him, it will not be unreasonable to request, particularly if you are the least known to the dealer of whom you are about to purchase, that you may be permitted to ride him a mile or two; and should he object to such a proposal, you would be warranted in forming a very unfavourable judgment of the horse, as well as of himself. If he permit you to ride the horse, when you are mounted, let him go his own pace, holding a loose rein: you will then have a better opportunity of knowing whether he be a stumbler; or whether he is sure-footed, and goes forward boldly, without halting or starting at every object which presents itself; at the same time, that he is not heavy or dull: they both have their bad effects, and ought to be rejected for these reasons:—The startlish horse, by his timidity, exposes you every moment to imminent danger; whilst, on the other hand, the sleepy or sluggish horse provokes you every moment.

MODE OF ATTACKING THE BEAR IN FINLAND.

FROM ACERBI'S TRAVELS.

With an Engraving to face this Page.

I Shall now give some account of the mode of attacking the bear. This is a kind of sport which requires great presence of mind and intrepidity, and it must be acknowledged that the Finlander displays those virtues in an eminent degree.

It is but very lately, that some individuals have begun to use fire-arms in this chase; but there are still many among the peasantry, particularly in the inland part of the country, who will not expose their lives to the uncertain shot of a musket, which is so liable to be prevented by damp; nor be possessed of an instrument which they think too costly, even when of a very ordinary quality. The favourite weapon of the Finlander in hunting the bear, is an iron lance fixed at the end of a pole; at about the distance of a foot from the point of the lance is fixed a cross-bar, which prevents the instrument from penetrating too far into the body of the bear, or passing both sides. When the Finlander has discovered where the bear has taken up his quarters, he goes to the place, and makes a noise at the entrance of his den, by which he endeavours to irritate and provoke him to quit his strong hold. The bear hesitates, and seems unwilling to come out; but continuing to be molested by the hunter and the barking of his dog, he at length gets up, and rushes in fury from his cavern. The moment he sees the sportsman, the bear rears himself upon his two hind legs, ready to tear him to pieces. The Finlander imme-

immediately puts himself in a proper attitude, that is to say, he brings back the iron lance close to his breast, and conceals from the bear the length of the pole, in order that he may not have time to be upon his guard, and consequently to parry with his paws the mortal blow the hunter means to aim at his vitals. The Finlander then advances boldly towards the bear, nor does he strike the blow till they are so near each other, that the animal stretches out his paws to tear his antagonist limb from limb. At that instant, the hunter pierces his heart with the iron lance, which, but for the cross-bar, would come out at his shoulder, nor could the other prevent the bear from falling upon him, an accident which might be highly dangerous. By means of the cross-bar, the savage is kept upright, and ultimately thrown upon his back.

But what may appear to some very extraordinary is, the bear, feeling himself wounded, instead of attempting with his paws to pull out the lance, holds it fast, and presses it more deeply into the wound.—When the bear, after rolling himself upon the ground, ceases from the last struggles of death, the Finlander lays hold of him, and calls for the assistance of his friends, who drag the carcase to the hunter's hut, and this triumph terminates in a sort of festival, where the poet assists, and sings the exploits of the hunter. As a specimen of Finland poetry, I have subjoined one of their songs, in praise of the man who conquered the bear.

A FINLANDER'S HUNTING SONG.

At the shy peep of day, while the dew-drops are seen
To begem the long boughs of the pine,
We follow'd the wanton dog over the green,
To the caves where the brambles entwine.
But 'twas thine, noble hunter, to rouse from his den
The rude shaggy savage, destructive to men.

His voice match'd the thunder, terrific and loud,
And the flashes that flew from his eye
Resembled the lightning that darts thro' the cloud
When the black robes of ev'ning are nigh.
But nor lightning nor thunder thy breast could appal—
Thou wert born for a hunter, thou pride of us all.

Sweet Culmer, who lives on the banks of the lake,
When she hears of thy courage and fame,
Shall kiss thee to sleep, and caress thee awake,
For to beauty the brave have a claim.
Nor of beauty, nor kisses, the coward should know,
But go hide with the lev'ret, or fly with the doe.

Now the bright cup of friendship all merrily pass,
'Tis a trophy that hunters should wear,
While they drink to the health of a favourite lass,
And rejoice o'er the skin of the bear:
For mirth, love, and friendship, are surely his due,
Who's as bold as the eagle, yet mild as the ewe.

N.

PEDIGREE, PERFORMANCES, AND PRODUCE,

Of that well-bred Racer, and much-esteemed Stallion,

SORCERER.

SORCERER is a black horse, foaled in 1796, is sixteen hands and an inch high, and was bred by Sir Charles Bunbury, Bart.

Sorcerer was got by Trumpator; dam,

dam, Young Giantess, by Diomed; grandam, Giantess, by Match'em; great grandam, Molly Longlegs, by Babraham, Coles's Foxhunter, Partner.

Young Giantess was also the dam of Clarissa, Eleanor, Julia, Young Whiskey, Lydia, &c.

At Newmarket Houghton Meeting, 1799, Sorcerer, 8st. 2lb. beat Lord Clermont's Royala, 7st. both three-year olds. Two-year Olds' Course, 100gs.—Five to 2 on Sorcerer.

At the Newmarket First Spring Meeting, 1800, Sorcerer, 8st. beat Mr. Tharp's Chippenham, 8st. 3lb. R. M. 100gs: 7 to 2 on Chippenham. In the Second Spring Meeting, at 8st. 5lb. he beat Mr. Howard's Speculator, 5 yrs old, 8st. 7lb. Ab. M. 150gs.: 5 to 4 on Speculator. At Ipswich, in July, at 9st. 5lb. he won the King's Plate, two-mile heats, beating Canterbury and Skyrocket. At Newmarket July Meeting, he won 50l. Ditch-in, beating Cadet, Skyrocket, and Gouty: 7 to 4 against Sorcerer. In the Second October Meeting, at 8st. 9lb. he beat Mr. Wilson's Surprise, 3 yrs old, 6st. 12lb. Ditch-in, 200gs.: 13 to 8 on Sorcerer.—He also, at 9st. won the October Oatlands Stakes of 360gs. B. M. beating Scrub, 3 yrs old, 6st. 12lb. Truss, 6 yrs old, 8st. 11lb. Quatorze, 5 yrs old, 8st. 4lb. Cadet, 5 yrs old, 8st. 2lb. Humbug, 4 yrs old, 8st. 2lb. Georgiana, 3 yrs old, 7st. 11lb. First Fruits, 3 yrs old, 7st. 6lb. and Surprise, 3 yrs old, 6st. 11lb. Eleven to 5 against Sorcerer, and 4 to 1 against Georgiana.

At Newmarket Craven Meeting, 1801, Sorcerer won 50l. for all ages, Two-year Olds' Course, beating three others. On Monday, in the First Spring Meeting, at 8st. 8lb. he received forfeit from Mr. Concannon's Richmond, 3 yrs old, 7st. 7lb. B. C. 100gs. h. ft. On Tuesday, at 7st. 9lb. he won 50l. for horses, &c. R. C. beating Sir Harry, 5 yrs old, 8st. 3lb. and Ploughboy, 6 yrs old, 8st. 7lb.: 11 to 8 on Sorcerer. On Thursday, he ran a dead heat against Worthy for the King's Plate; and on Saturday, at 8st. 10lb. he beat Richmond, 7st. 5lb. two middle miles of B. C. 100gs.: 7 to 4 on Sorcerer. On Monday in the July Meeting, at 8st. 7lb. he beat Richmond, 6st. 9lb. B. C. 200gs: 2 to 1 on Sorcerer. And on Tuesday, he walked over the Ditch-in, for 50l.

He also won 50l. at Oxford; and walked over for the King's Plate at Burford. At Lewes, he won a Subscription of 80gs. for five-year olds, 8st. 5lb. four miles, beating the Prince of Wales's Rebel; 4 to 1 on Sorcerer. He was then put out of training.

Sorcerer is a stallion at Great Barton, near Bury St. Edmund's. In 1804, 5, and 6, he covered at 10gs. a mare and half a guinea the groom; in 1807 and 1808, at 15gs. and a half; and in 1809, forty mares, beside those of his owner, at 20gs. and one guinea.

Sorcerer is sire of the Duke of Grafton's Morel, Sir C. Bunbury's Agnes, Lord Barrymore's Miranda, Sir H. Lippincott's Sorceress, Mr. Lake's Oberea, Mr. Wilson's Wizard, General Gower's Maid of Orleans, the Duke of Grafton's Doleful, Lord Lowther's Loiterer, Sir C. Bunbury's Thunderbolt and Overseer, Mr. Emden's Maid of the Mill, &c.—Morel won the Oaks Stakes in 1808, and Maid of Orleans in 1809.

MR. KNAPTON, OF THE STAR INN, YORK.

WE notice two articles in the *York Herald* of the 8th inst. which, as they both relate to sporting, shall have a place in our Miscellany.

HUNTINGTON NEAR YORK.

The Annual Feast at this pleasant village was held on Thursday, the 6th instant. In the course of the afternoon a variety of country sports took place, such as horse and ass racing, &c. &c. The day being fine, a great number of persons from the neighbouring villages and from York visited their friends, and were bountifully entertained. Mr. Knapton, of the Star Inn, in this city, well known on the turf, gave as usual a most liberal and elegant entertainment to his friends, at his breeding farm;—the visitors were so numerous, that tables were obliged to be placed in a large new barn, on which a most plentiful dinner was set. After the cloth was drawn, the company enjoyed themselves to a late hour in the evening in a most cordial and harmonious manner, and departed highly gratified with the attention of their generous host, who bade them all a hearty good night, kindly requesting their attendance, and all of his friends, at the next annual Huntington Festival.

To aid the circulation of the convivial glass, many truly loyal and patriotic toasts were drank, and the intervals filled up with excellent songs, sung in an admirable style; amongst which were the following; "Make sure of to day," Mr. R. Boulton.—"Dear Mary," Mr. M. Browne.—"The Knight's Installation," Mr. Spurr.—"The Trotting Mare," Mr. White.—"Queer'd my Napper, &c." Mr. Davis.—"Liberty Hall," Mr. R. Boulton.—"Death of Tom Moody," Mr. Spurr.—"Goody Burton's Ale," Mr. Lawton.

During the day a number of Mr. Knapton's friends went to see his breeding stock of horses, &c. and were highly gratified by a view of those by the late Delpini, a colt foal by whom, own brother to Sir Launcelot, attracted particular attention. The stock by his present stallions, Paynator and Evander, are of great promise, and shew high blood, as also two fine and beautiful fillies by Beningbrough.

In the farm-house, Mrs. Knapton, with her wonted affability and goodness of heart, entertained her female friends with tea and supper; where the cheerfulness of the day concluded with a trip "on the light fantastic toe," and general satisfaction.

MR. GUNDY.—PEDIGREE.

A report being very current at Newmarket, and other places, that Mr. Gundy's dam was not bred according to the pedigree given, which may not only be injurious to the present and future produce of the mare, but also to my character as a breeder,

Therefore I, William Knapton, of the city of York, innkeeper, do hereby certify, that I bought Mr. Gundy's dam at the Hammer, in the York Meeting, 1803, and the pedigree given to me when bought was, that she was got by Young Marsk, out of Gentle Kitty, and stinted to Star.—Her produce I sold to Mr. Walker at the Doncaster Races following, which produce was a chesnut colt, afterwards sold to Sir

Sir Charles Turner, Bart. and is now called Mr. Gundy.

WM. KNAPTON.

York, June, 1809.

And I George Edward Dinsdale, Esq. of Middleham, in Yorkshire, do further certify, that the dam of Mr. Gundy was bred by James Hutton, Esq. and got by Young Marsk, out of Gentle Kitty; was in training in Mr. Wilson's stables at Middleham Moor, and was sent into the *North of England* to run for a Plate, where she fell amiss, and was sold to Sir Charles Douglas, Bart. who some weeks afterwards exchanged her with John Jackson, the jockey, for a Drone mare, used as his hack. Mr. Jackson, in the Spring following, sent her to be served by Overton, and her produce was a colt foal, afterwards called Capias, which produce I bought with the mare for Robert Fletcher, Esq. and sent her to be served by Star. In the York Meeting, in 1803, I sent her to be sold at the Hammer, where she was bought by the above Mr. Knapton, of York.

G. E. DINSDALE.

Middleham, June, 1809.

HORSE CAUSE.

COURT OF KING'S BENCH, JULY 7.

Botham *v.* Dixon.

THIS was an action brought by the keeper of the Windmill Inn, Salt-hill, against the proprietor of the City Repository, for the sum of thirty-eight guineas, paid by the plaintiff's agent, for a horse warranted sound and quiet to ride or drive, which he had bought at one of the defendant's public auctions. Joseph Swift, the plaintiff's foreman and agent, proved the purchase of the horse on a Friday. He took it to Salt-hill the same day, and on the next it was put to a post-chaise as one of the leaders; but it kicked and bit one of the other horses, and would not go at all.

It was accordingly, on the Monday following, returned to the defendant's stables.

The defence was, that all horses sold at the defendant's auctions were sold under conditions, which were painted on a board at the head of the ride, and stuck up at the door of every stable; they were also read at the beginning of every sale, and lying on the table printed in great quantities. One of these conditions was, that no horse, which had been warranted sound, could be taken back as not so, unless it were returned before six o'clock in the afternoon of the day succeeding that of its sale. The defendant, at his sales, which were twice a week, sold by commission many horses, of which he knew nothing; and it would be absolutely impossible for him to carry on his business, unless an early time were fixed for the return of such horses as were to be returned. It was proved that the plaintiff's agent knew of the defendant's conditions, by his having been several times at the sales, and by his having once brought the defendant a horse for sale.

Lord Ellenborough observed, that with the means the defendant took to make known his conditions, no ignorance of them could be pleaded; otherwise a man would have nothing to do to evade them, but to send to the sale a person who was deaf and blind.—*Verdict for the defendant.*

We find a difference of opinion in

in the two Chiefs of the King's Bench and Common Pleas; for the Lord Chief Justice of the latter Court had previously noticed a cause, tried a short time before in that Court, in which it appeared, by evidence, that a paper had been posted at Aldridge's Repository, stating, that the warranty of any horse sold by auction would not last longer than two days. He considered a warranty of two days a delusion, as it was impossible to discover certain disorders in a horse in less time than a month. He mentioned this circumstance, in order that the public might avoid buying a horse under such a warranty.

THE TRIAL OF MISS YORKE, FOR SHOOTING AT R. COOMBES.

SESSIONS HOUSE, OLD BAILEY, JULY 1.

MARY Yorke stood capitally indicted, under the statute commonly called Lord Ellenborough's Act, for that she, having in her hand a loaded gun, did maliciously shoot at Robert Coombes, with intent him to kill and murder.

Robert Coombes deposed he lives at Sunbury, and is a fishmonger. On Sunday, the 14th day of May last, about six o'clock in the evening, as he was walking in Kempton Park, together with Joseph Constable, Henry Parker, William Stapleton, and Henry Hanson, he heard a gun go off. He went up to the place whence he thought the shot came, and saw the place in the paling through which the ball had passed. The prisoner was standing on the inside, in the primises belonging to her uncle, Mr. Rolfe. She had a gun in her hand. He asked her what she had been doing? she said, she knew perfectly well. He told her she was doing very wrong, and if she were to do it again, he would go over the paling, and take the gun from her. She had her maid with her, and she asked her, what impertinent fellow that was? then, turning to him, said, "If you do not go about your business, I will take the liberty of firing at you." He replied, "You may do as you like, I shall not go." She then directed the gun at him, and snapped it three times, but it would not go off; she took it from her shoulder, and, opening the pan, found she had forgot to prime it. She then asked her maid for the powder-horn, which she gave her. She put some powder in the pan, and shut it. He saw all this.—He saw the powder. Parker begged him to get behind the tree, or she would shoot him; he did so. In a few seconds he looked on one side of the tree, and saw the gun directed towards him; when she saw his head, she then discharged the gun at him: he immediately got over the paling, and took the gun from her. He then went to the spot where the ball had come through on the first shot—she followed. He threatened he would take out a warrant against her; she said he might do so, if he liked, but she would as soon shoot him as not: he, on the next day, procured a warrant. He did not examine the tree behind which he had stood. He saw her put shot into the gun; she poured it out of a shot-belt, without measuring it; this was immediately before the last time she fired; it was before the gun missed fire. He had no conversation with the prisoner either before or since

since the transaction took place. A model, in wood, of the premises, was produced, for the purpose of enabling the Court and Jury, by reference to it, to understand the relative situation of the parties.

Upon his cross-examination, he said he used to carry fish about the country, in a cart, for the support of an aged father and mother, and family. Part of Kempton Park belonged to Mr. Hill, and part to Rolfe. The fence (as marked on the model) divided their grounds. There were trees on Mr. Hill's side of the fence, where he was; they were very large ones, about 3½ feet, or 4 feet in diameter. The tree behind which he got was three yards from the paling, and about fifteen from where the prisoner stood. He was sure he saw her put the powder into the pan out of the powder-horn. Parker and he afterwards went to the George public-house in the neighbourhood; he did not send Parker to the prisoner for the purpose of extorting money from her. He took the gun to the public-house; he afterwards returned and took the piece of paling the ball had gone through, and put another in its place. He was positive he used no ill language whatever to Miss Yorke, or any other than what he had already stated. He believed he threw a piece of the paling at her, after she had fired at him, being apprehensive she was about to load the gun again. He took out the warrant the following day (Monday); on Tuesday a hearing was appointed at Bow-street, for the Friday following. He came to town on that day, but did not appear before the Magistrate; he denied he received any money for the purpose of absenting himself, but did so because he was advised to go home. He did quarrel with Parker on their way home, and stript to fight with him, but it was not about any money. He did not know that he ever laid any wager that he would convict Miss Yorke, but he was told this morning that he had laid a pot of sixpenny, not that he would convict her, but that if she were convicted, she would be cast for death. He never said he could swear away a life or two.

Question by the Court.— Why did you not get behind the tree when first you saw the gun presented at you?—Because I was not frightened; I would sooner lose my life than be frightened at, or run away from, a woman.

Court.—Yet at last you condescended to get behind a tree!

Henry Parker, the next witness, is a carpenter residing at Sunbury. He was in the park at the time; he saw Miss Yorke in the paddock with a gun in her hand, holding it to her shoulder; she took it down; her servant came up with something in her hand, he did not then know what. This was before the first shot was fired. She seemed to prime the piece, and put it to her shoulder again. He walked towards her, to see what she was about, and immediately the gun went off; the ball passed through the paling, two or three paces before him; he saw the dust fly by the ball striking the gravel of the road; he went up to her, and asked her whom she was firing at? she replied, it was no business of his. He said she had like to have shot him as he was passing along the road; she was then in the act of putting powder into the gun; he saw her do it; she appeared in a passion, and said to him, if he interrupted her in her private walks, she would take the liberty of firing at

at him; she lifted the gun, and he got behind a tree; she called to the girl for shot, which she poured into the gun out of the shot-belt—she was still in a passion. At this time Richard Coombes came up; he said he would get over the paling, and take the gun from her; she asked who he was? her servant replied, she did not know; she said she would take the liberty of firing at him, however; Coombes told her she might fire if she liked; she took up the piece, and aimed at him; she snapped it three times, but it would not go off: she took it from her shoulder, and called to her servant for powder; she primed it, and presented again at him; the witness then called out to him, "For God's sake get out of the way, or she will blow your brains out." He did so; he got in a rage, and made a bit of a move from behind the tree, and she fired at him; Coombes then attempted to get over the paling, when a piece of it broke in his hand, and he threw it at her; he then got over the paling, and the witness, fearing he would be rash, got over also, and laid hold of the gun; she was in a violent passion; he let go the gun, and Coombes took it from her; she said she fired at him for trespassing; the witness would have given her the gun back again, but she threatened if she had it she would fire again. Seeing her so rash, he got back again over the paling, and left her there. He saw her two or three times since; twice at Bow-street Office. He had a conversation with her once. She sent for him to a public-house at the top of Bow-street, for the purpose of making it up. She asked him what he would take to make it up? He said he could do nothing; she should have considered before she acted so. She replied, "Don't tell me of before, but what you can do now."—Coombes was called into the room to her, and he then left it.

Upon his cross-examination by Mr. Bolland, he said Coombes was brought in while he was in the room; he was not in company with Coombes in the Park, but met him there. The height of the paling, which he measured, was four feet five inches, and the trees were very large, so as to be capable of protecting any one taking shelter behind them; thirty or forty yards farther back from the paling, the shot struck against a tree, in the direction of sixteen or eighteen feet from the ground; he himself picked up some pieces of the branches which he supposed were broken off by the shot; he himself pointed out to Mr. Rolfe afterwards where Coombes stood; he also examined the tree, and there were no shot lodged in it, nor were there any in the paling; there were several expressions made use of, and such things as bad words passed, but not before the gun was snapped; she placed the gun to her shoulder as well as he could.—He was at Bow-street on the Friday, but did not come forward to be examined; Mr. Rolfe had sent Saunders, his steward, to keep him away. He denied receiving any money, but some was forced on his wife; he did not receive 15l. nor any part of it; nor did he say that 10l. would not do, but that 15l. would satisfy him; neither did he refuse a note on Mr. Rolfe to that amount, saying he must have cash. There was a calculation made of their expenses, and the draft was offered for it, but he refused it. He persisted in declaring he had never received any money. They dined

together

together on their way home, and Coombes and he quarrelled; this was on the Monday. It was not any thing relative to this business they quarrelled about; but Coombes was very drunk; he wanted to get him off the grass where he was lying, and he struck him.

Lavender, the Bow-street Officer, produced the gun, which had been deposited in his custody.

Wm. Stapleton, Joseph Constable, and Henry Hanson, merely deposed to some of the most material of the preceding facts. The last witness, upon his cross-examination by Mr. Gurney, swore that he went home from town with Coombes and Parker; they quarrelled on the way; the former stript to fight, and the latter struck him. He did not know which of them spoke in particular, but both of them said the other had forsworn himself. The conversation began about money—10l. that was given to Parker's wife. Coombes wanted the half of it. Parker was not agreeable to it; his wife had got it, and he knew nothing about it.—He did not think either of them was in liquor at the time.

Here the evidence on the part of the prosecution closed.

The prisoner, upon being called upon by the Court, if she chose to say any thing in her defence, declared, in so low a voice that it was necessary to repeat it after her, that she did not point the gun at Coombes, nor did she intend to hit him; he had used very gross and insolent language to her, and she merely fired the gun, with intent to frighten him.

Elizabeth Too, her servant, was called; she was along with her mistress on the Sunday when she fired; she had no powder and shot till after the first fire, she herself brought them to her. The shot was in a belt, but the powder she brought loose in a paper; she swore positively there was no powder-horn. Her mistress put the powder into the gun with her fingers out of the paper, and the shot out of the belt. There was no paper put in between the powder and the shot, nor did she ever draw the ramrod (which was not drawn out of its place in the gun, as produced by Lavender, and was found to have been broken off full four inches short of its length, and of course useless for the purpose): she then snapped it, the muzzle pointing towards the ground. Coombes peeped out from behind the tree, and said, "you can't fire it, there is nothing in it." To which her mistress replied, "if you stand, I will shew you what I can do." She then fired. The gun was certainly pointed towards the tree, but she could not say at him. She did not wait to see the remainder.

Mr. Rolfe, the prisoner's uncle, examined the place as pointed out to him by Parker, and there was no mark of shot either in the tree or in the paling. It was not possible for any one standing where she stood to hurt one situated where Coombes was, over the paling, owing to its height, four feet nine inches close, and nine inches open work at the top, making in the whole five feet six inches. The gun itself was of a peculiar construction, so as to prime itself by throwing the powder into the barrel. He was positive there was no tree nearer than 150 yards, in the direction where Coombes stood, nor did he ever hear of the circumstance of any tree being hit, till he heard it stated this day in Court. He bore testimony to the character of his niece for good temper.

temper. The son of this witness gave his testimony to the same effect.

The Learned Judge recapitulated the whole of the evidence to the Jury, commenting on it as he went along; and the Jury, without a moment's hesitation, pronounced their verdict—*Not Guilty*.

Miss Yorke then modestly curtsied to the Court, and retired. She was dressed, rather muffled, in black, and was attended whilst in Court by a female servant.

WINNERS OF ROYAL PLATES AT NEWMARKET,

By five-years old Mares, &c. 10st. each, over the Round Course.

Continued from Page 132.

Those marked [§], were winners of Royal Plates either at York or Richmond, (called Hambleton Guineas.)

MR. Wilson's Seedling, by Pumpkin—beating Lord Grosvenor's Nimble, by Florizel; and Mr. Lade's Plutitia, by Highflyer. Even betting on Seedling............................1790

Lord Grosvenor's Maid-of-All-Work, by Highflyer, 4 yrs old—beating Lord Egremont's Matron, by Alfred; his R. H. the Prince of Wales's Gawkey, by Highflyer; Sir F. Standish's Sister to Astonishment, 4 yrs old; Sir F. Poole's Jemima, by Satellite, 4 yrs old (fell lame); and Mr. J. Arnold's Nelly, by Hyder Ally.—Seven to 4 against Jemima, 4 and 5 to 1 against Maid-of-All-Work 1791

Mr. Phillips's Magnolia, § by Highflyer, 4 yrs old—beating Lord Grosvenor's (late Mr. Garforth's) Camilla, § by Highflyer; and the Duke of Bedford's Isabel, by Woodpecker.—Five to 4 on Camilla, and 7 to 1 against Magnolia 1792

Lord Clermont's Peggy, by Trumpator, 4 yrs old—beating the Duke of Grafton's Prunella, by Highflyer, 4 yrs old; Sir C. Bunbury's Amelia, by Highflyer, 4 yrs old; Sir F. Poole's Kezia, by Satellite, 4 yrs old; and Lord Belfast's (late Mr. Phillips's) Magnolia.—Six to 4 against Kezia, 2 to 1 against Magnolia, and 5 to 1 against Peggy............................1793

Lord Clermont's Peggy, by Trumpator—beating the Duke of Grafton's Prunella; Mr. Golding's Gipsy, by Trumpator, 4 yrs old; and Sir F. Poole's Kezia.—Six to 4 on Peggy 1794

Lord Oxford's Heroine, by Phenomenon—beating Sir F. Poole's Keren-happuch, by Satellite; (the first heat was deemed a dead one.) Six and 7 to 4 on Keren-happuch; after the dead head, 11 to 8 she won..............................1795

Mr. Durand's Hermione, by Sir Peter Teazle, 4 yrs old—beating the Duke of Grafton's Garland, by Mercury.—Two to 1 on Hermione 1796

Mr. Durand's Hermione, by Sir Peter Teazle—beating the Duke of Grafton's Minion, by Justice.—Six to 5 on Hermione 1797

Mr. Phillips's Lily, by Highflyer, 4 yrs old—beating Lord Clermont's Hornpipe, by Trumpator, 4 yrs old; Sir F. Standish's Parisot,

Parisot, by Sir Peter Teazle, 4 yrs old; and Mr. Mayse's chesnut, by Calomel.—Seven to 4 on Hornpipe, 3 to 1 against Parisot, and 5 to 1 against Lily 1798

Mr. Garforth's Caroline, § by Phenomenon—beating Sir F. Standish's Parisot, and Lord Oxford's (late Mr. Phillips's) Lily.—Even betting on Caroline 1799

Mr. Durand's Bellissima, by Phenomenon, 4 yrs old—beating Sir F. Poole's Duchess of Limbs, by Pot8o's, 4 yrs old.—Five and 6 to 1 on Bellissima......................... 1800

Duke of Grafton's Hornby-Lass, by Buzzard, 4 yrs old—beating Sir F. Poole's Coarse Mary, by Mentor, 4 yrs old.—Three and 4 to 1 on Hornby-Lass 1801

Duke of Grafton's Hornby-Lass, by Buzzard—beating Mr. Heathcote's Aniseed, by Coriander, 4 yrs old; Mr. Fletcher's Allegranti, by Pegasus, 4 yrs old; Mr. Whaley's Tuneful, by Trumpator, 4 yrs old; and Sir F. Poole's Tawny, by Mentor, 4 yrs old.—Even betting on Aniseed, and 2 to 1 against Hornby-Lass 1802

Mr. Garforth's Marcia, § by Coriander—beating Mr. Collinson's Allegranti, by Pegasus.—Five to 1 on Marcia......................... 1803

Duke of Grafton's Penelope, by Trumpator—beating Sir C. Bunbury's Eleanor, by Whiskey.—Seven to 4 and 2 to 1 on Penelope 1804

Duke of Grafton's Parasol, by Pot8o's, 4 yrs old—walked over.... 1805

Duke of Grafton's Parasol, by Pot8o's, 5 yrs old, 9st. 10lb.—beating Mr. Abbey's Margery, 6 yrs old, 10st.; and Mr. Wyndham's Gloriana, 3 yrs old.—Ten to 1 on Parasol * 1806

Mr. Goulburn's Epsom-Lass, by Sir Peter Teazle, 3 yrs old, 8st. 4lb.—beating Mr. Mellish's Glory, 4 yrs old, 9st. 4lb.; Duke of Grafton's Dodona, 4 yrs old, 9st. 4lb.; Mr. Craven's Bronze, 3 yrs old, 8st. 4lb; Mr. Abbey's Orangeade, 3 yrs old, 8st. 4lb.; Mr. Goodisson's Flighty, 3 yrs old, 8st. 4lb.; Sir J. Shelley's Houghton-Lass, 5 yrs old, 9st. 10lb.; and Lord Rous's Jerboa, 3 yrs old, 8st. 4lb.—Two to 1 against Houghton-Lass, 5 to 2 against Dodona, 6 to 1 against Flighty, and 12 to 1 against Epsom-Lass, who won cleverly 1807

Lord Grosvenor's Violante, by John Bull, 5 yrs old, 9st. 10lb.—beating Lord G. H. Cavendish's Pagoda, 4 yrs old, 9st. 4lb.—Very high odds on Violante......................... 1808

Lord Grosvenor's Plover, by Sir Peter Teazle, 3 yrs old, 8st. 4lb.—walked over......................... 1809

* By order of his Majesty, the above Plate was ordered to be run for in 1806, and future years, by mares, &c. of all ages; viz. three-year olds, carrying 8st. 4lb.; four-year olds, 9st. 4lb.; five-year olds, 9st. 10lb.; six-year olds and aged, 10st.—In 1807, the King's Plate was run for over the Beacon Course, on account of the Round Course being destroyed by the inclosure, and the new course not being finished.—In 1808 and 1809, the King's Plate Course was—the last three miles of B. C.

ON DUELLING.

From Essays on the Art of War—and Mr. Bannatyne's Observations.

DUELLING in France, from the example of Francis I. drew after it the most melancholy consequences. Being charged with a breach of faith by the Emperor Charles V. he gave him the lie in form, and challenged him to single combat. The difficulty of providing for two such combatants a sufficient security of the field, and adjusting other circumstances, prevented the meeting; but the mischief of the example was complete. This happened in 1588. In the latter part of the same century, when France was torn by the most violent convulsions, the rage of duelling mixed itself with the animosity of the civil and religious parties, and contributed to depopulate the country; nor was its fury abated by the cessation of the civil commotions. It seems even to have increased not a little in the reign of Henry IV. It has been computed (according to Sully's Memoirs) that, from his accession to the year 1607, a period of eighteen years, no fewer than four thousand French gentlemen were killed in duels.

In 1578, a combat was fought by six French noblemen, three against three: two of them were killed on the spot, two died of their wounds, and a fifth was severely wounded. In 1600, a private combat was fought between twenty French and as many Flemish. Voltaire informs us, that the combat of the La Frettes, four against four, in 1663, determined Lewis XIV. to pardon duelling no longer.

Duelling with small swords, was first introduced into England, 29th Elizabeth, 1587: in the reign of James I. it became an object of attention to government; and afterwards, a proclamation was issued by Charles II. 1679, that no person should be pardoned who killed another in a duel.

There have been, in England, many trials for killing in a duel, and many verdicts for manslaughter; but there appears only one trial on record, where killing in a fair duel, has produced a capital verdict; that was the case of Major Oneby, who prevented a public execution by suicide. In the late case of Major Campbell, in Ireland, there is no doubt but the Jury who found him guilty, did so under the impression that he shot his adversary unfairly. No small check has of late been given to the practice of duelling, from the great number of respectable individuals who have had the courage, instead of meeting their challengers in the field, to prosecute them in Courts of Justice; nor does it appear that in any such cases the public have deemed it a stain on their character, but the reverse.

The judicial trial by battle, was established in England, France, and various parts of Europe. The reason for its continuing so long seems to have been, that the lord in most districts had the appointment of the ordinary judge, who (either himself or his lord) was interested in favour of one of the parties litigant; which might, perhaps, drive the other party, from a suspicion of this prejudice against him, to appeal to the chance by combat. There is a story in Grafton's Chronicle, which must have made this trial infinitely ridiculous:—A citizen of London, in the time of Henry VI. was of a strong make, but of a faint heart; he happened to be obliged, by this kind of decision, to enter the list against

against an antagonist, who was both weak and puny. The friends of the citizen, to give him courage, plied him with wine and *aqua vitæ*, so that he was drunk when he began to engage, and fell an easy prey to his adversary.

The last instance but one of trial by battle in England, is that of Lord Rea and David Ramsden, in the reign of Charles I. when the Court was held by the Constable and the Earl Marshal of England. Of this case, Rushworth gives an ample account, and the legal pleadings and proceedings of the appeal, it being in the arbitrement of the Court, whether it should be granted or not. In his answer, the defendant Ramsden alledges, that the bill and appeal (which was for having had treasonable intentions) was and is false, and that the appellant Rea did *lie falsely*; which is, by some, supposed to account for the lie direct being followed by duels to this day. In Rushworth's account we find farther, that the Court, on the petition of Lord Rea, permits him to have, whilst in the lists, counsel, and a surgeon with his ointments: they likewise allow him a seat, or pavillion, to rest himself, and wine for refreshment. He is, beside, to have iron, nails, hammer, file, scissars, and bodkin, together with needle and thread. After two or three adjournments, the King superseded his commission to the Constable and Marshal, so that the combat did not actually take place. Shortly after, a trial by battle was brought on a writ of right, but set aside for irregularity.

In France, the form of proceeding was this:—The accuser and the accused threw down a gage, usually a gauntlet, which the judge took up. The two combatants, on this, were taken into custody, after which the affair admitted of no accommodation but by the judge's consent. The chief judge, having fixed the day, named the field, and furnished the weapons, which were carried to the spot, preceded by fifes and trumpets. Here a priest blesses them with a multitude of ceremonies. The action began by giving the lie to each other, till gradually they grew calm, when, with much devotion, they threw themselves on their knees, said some prayers, made a profession of their faith, and then proceeded to engage. The victory decided the innocence of the victor, and the justice of his cause; the penalty of the vanquished was that due to the crime in question. His unfortunate champion underwent the same fate: he was ignominiously dragged out of the field together with the principal, and hanged or burned according to the crime.

There is an engraving in Montfaucon, of a combat between the Chevalier Macaire and a dog, in the year 1371, expressly ordered by Charles V. of France, to determine whether the Chevalier had been guilty of a murder, of which he was accused.—(See *Antiq. de la Monar. Françoise*, where the story is related at length, and the issue is stated to have been, that, after being nearly strangled by the dog, he confessed his guilt.)

To return to voluntary duels, it has been mentioned above, that during the reign of James I. they attracted the attention of government. James, in fact, published many proclamations against the practice. In one of them he declares, that "we do protest on our part, that we will never account of them but as of cowardes."

Fynes Morrison, who wrote about this time, says, "Let me add

add one thing of corrupt custom in England, that those who are not grown men, never have an opinion of their valour, till in their youth they have gained it with some single fight, which done, they shall ever after live free from quarrels."

But it was not alone in England and France that duelling prevailed. In Sweden, in Flanders, and in different parts of Germany, it was very common. In Italy, it was carried to a pitch of refinement beyond all others. It is stated by Giannone, (Vol. iii. p. 482,) that Paris de Putio, a Neapolitan advocate, professed chiefly this branch of the law, and was consulted on cases of this sort, referred to him from all parts of Europe. And in 1556, there was published at Venice, *Il Duello de Mutio*, a treatise in which the cases of honour were collected with so much minuteness, that lies were distinguished into thirty-two different sorts, and the precise satisfaction suited to each was marked out. On each of them, Mutius has a distinct chapter: the heads of some of them are as follow:—Of the Lie Immaterial—the Lie General—the Lie Special—the Lie Hypothetical—the Lie Direct. This systematic nonsense is admirably ridiculed by Shakespeare's Touchstone, in his definition of finding the quarrel on the seventh cause. "We quarrel," says this motley disciple of Mutio, "in print, by the book, as you have books for good manners. I will name you the degrees: the first, the Retort Courteous—the second, the Quip Modest — the third, the Reply Churlish—the fourth, the Reproof Valiant—the fifth, the Countercheck Quarrelsome—the sixth, the Lie Circumstantial—the seventh, the Lie Direct."

In the barbarous and frozen region of Greenland, affairs of honour are decided in a manner very different from that of civilised nations. When a Greenland gentleman is insulted or injured by another, he composes a satirical poem, which he repeats and sings before his friends and domestics, male and female, till they have all got it by heart. He then every where challenges the other to meet him, and to refuse such challenge would be dishonourable in the extreme.—The opponents having met in an encircled theatre, the challenger sings his satire, accompanied by beat of drum, and every line is re-echoed in chorus by his party.—When he has thus discharged his taunts, and raised the laugh against his adversary, the latter steps forth, answers in the same manner, and, cheered by the chorus of his party, retorts the laugh. The accuser renews the combat, and tries to baffle his antagonist a second time. In short, he that maintains the contest best, receives the laurel from the whole auditory, who constitute a very laudable jury. These savages level their wit with all possible keenness and severity, but without either rudeness or passion; and when the combat is determined, they become fast friends.——"*Look here, upon this picture and upon this!*"

THE DRAMA.

CONCEIVING that our readers will not be displeased with accounts of the three new dramatic performances recently produced, we shall begin with *Up all Night, or, the Smugglers' Cave.*

It is necessary to premise, that the Lyceum Theatre, in the Strand, was

was opened on Monday, the 26th of June, for the especial purpose of performing English Operas, and the first production was the above piece, of

UP ALL NIGHT, OR, THE SMUGGLERS' CAVE.

The persons of the drama were as follow:

Admiral Blunt....	Mr. Dowton.
Henry Blunt	Mr. Doyle.
Heartwell........	Mr. Marshall.
Young Heartwell..	Mr. Phillips.
Meddle..........	Mr. Horn.
Peter............	Mr. Smith.
Smugglers	Mr. Fisher. Mr. Miller. Mr. Chatterley.
Boy	Master Wallack.
Chorus of Smugglers, &c.	
Juliana	Mrs. Mountain.
Flora	Mrs. Bishop.

Scene—a Village, near the Sea Coast.

The Fable represents Admiral Blunt, who has long and bravely served his country, to have retired with a son and daughter to his estate, near the sea-coast; he is determined they shall be united to the persons he shall choose, though he continually mistakes his own intention, and declares to them their choice in this point shall be free. He has elected as the husband of his daughter Juliana, the son of an old friend, Heartwell, and the young gentleman is daily expected from India, for the purpose of concluding the proposed union. Young Heartwell, being acquainted by letters from his father with the circumstance, determines not to let him know of his arrival till he has had an opportunity of seeing and conversing with his intended bride before he consents—for which purpose, under the disguise of a Midshipman, and the feigned name of Hatchway, he visits the village where the Admiral resides, and most opportunely to rescue his mistress from the rude insults of a band of ruffians. In the scuffle, young Heartwell's arm is broken; and the Admiral, in gratitude for his daughter's deliverance, invites him to his house; this gives him the wished-for opportunity—he and Juliana conceive a mutual affection. Old Heartwell (with his daughter Flora), had, in disguise of an humble cottager, resided in the neighbourhood, to observe the character of the Admiral's son, Harry Blunt, between whom and his daughter Flora he proposes to effect an union—Flora, though in the habit of a cottage girl, has engaged the affections of Harry Blunt, when Old Heartwell sets off for London to meet his son. Juliana and Flora become intimates. The Admiral is enraged to hear of his son's attachment to a rustic, and doubly so at his daughter Juliana's refusal to marry Young Heartwell, and employs a party of smugglers to seize the latter, and carry him off to sea. Juliana, to terrify her father from his resolution of forcing her affection, determines to quit his house for a time in disguise, and meets Flora at night in the garden. Young Heartwell is discovered bound in the cave of the smugglers; Juliana (still in her disguise) appears, and accomplishes the freedom of her lover.— A mutual embarrassment arises from the absence of the several parties all night from the house, and an explanation takes place on the arrival of Old Heartwell, on his acknowledgment of his son and daughter.

Such is the plot, which the author, Mr. Arnold, has made the ground-work of a very interesting and well-constructed Opera. As a dramatic composition, the piece possesses considerable merit. The incidents

cidents are simple and natural; the dialogue spirited, and well sustained. The music does much credit to the talents of Mr. M. P. King, the composer, and was greatly applauded. Most of the songs were encored.—[*Vide Poetry.*]

The performers are highly spoken of, particularly Mr. Phillips, from Dublin, as a singer of great taste. Another gentleman, a Mr. Horn, also sung with judgment, but his powers are not equal to those of Mr. Phillips. Doyle, from Bath, was received with much applause. Smith, late of Drury-lane, formerly of Sadler's Wells, was also a strong vocal and comic prop of the performance; and Mrs. Mountain and Mrs. Bishop (late Miss Lyon) sung with great effect. Mr. Dowton played and sung with much humour.

Having given this description of the first night's representation, (at which the Princess of Wales was present) it is almost needless to add, that the opera was received throughout with the utmost applause, and continues to be a favourite with the public.

KILLING NO MURDER.

This operatic farce was brought out at the Haymarket Theatre, on Saturday, the 1st of July. It is written by Mr. Theodore Hook, and is set to music by Mr. Hook, sen. The *dramatis personæ* are as follow:

Sir Walter Wilton .... Mr. Grove.
Jack Wilton, as Bradford Mr. Smith.
Mr. Belvi .... Mr. Eyre.
Mr. Apollo Belvi...... Mr. Liston.
Buskin .... Mr. Mathews.
Tap .... Mr. Taylor.

Mrs. Watchet .... Mrs. Davenport.
Miss Nancy .... Mrs. Mathews.
Fanny .... Miss Kelly.

In the original composition of this farce, Mr. Hook having made rather too free with the Methodists, Mr. Larpent, deputy to the Lord Chamberlain, the day before its performance, refused his license; his objection was, however, got over, by Mr. H. striking out all the offensive passages; which he has published at the end of the piece. The following is the reason given by the author, in his preface, for thus attempting to apply the lash of ridicule to this sect:—

"All I can say is, that whatever was written in *Killing no Murder* against the Methodists, was written from a conviction of their fallacy, their deception, their meanness, and their profaneness; and if any body doubts their perfect claim to all these qualifications, he will do well to attend one of their tabernacles, or read two pages of that most blasphemous of all filthy publications, the Evangelical Magazine."

To this the author adds, in a note—

"To prove how fit Mr. Larpent (whom Mr. Hook states to be a Methodist himself) is for his office, it may not be amiss to state, that, at that stye of mud and corruption, Rowland Hill's chapel, the congregation were congratulated from the pulpit on the destruction of Covent Garden Theatre, and the annihilation of a score firemen noticed as a singular proof of the wisdom of Providence, in these words:—"Great news, my brethren, great news; a great triumph has taken place over the devil and the stage-players—a fire in one of their houses—oh may there be one consumed every year!—it is my fervent prayer."

With respect to the piece—two strolling players, Buskin and Bradford, pass for country gentlemen at a Welch

a Welch Inn, and the audience is entertained with a series of artifices, the object of which is to bring about the union of the former with Fanny, the sister of the landlord, and of the latter, with a young Lady in the neighbourhood, Miss Nancy. A number of highly diverting scenes occur in consequence of the schemes set on foot to accomplish this double purpose, and Mathews was never seen to greater advantage in the rapid transition of character, and dextrous conversion of voice. Sir Walter Wilton, guardian of Nancy, having come to the Inn kept by Tap, expects a number of servants to attend him. Buskin, knowing Tap keeps no servants, undertakes to attend upon Sir William, as ostler, cook, waiter, &c.; and nothing can be more complete than the manner in which these cameleon-like changes are executed. He calls ventriloquism to his aid, and when Sir Walter gives orders for dinner, whilst his hair is dressed, he shews himself first on the one side of the old gentleman, as a French frisseur, and then on the other as cook, with incredible activity.

Among the comic scenes that take place are the following:

Enter Sir Walter and Tap.

Sir. W.—Very neat and clean indeed, very good—so—you have all sorts of attendants—I am particularly nice about my blacking.

Tap.—Your boots shall shine, Sir, like a looking glass.

Sir W.—I want a sensible scientific hair-dresser, who can contrive to set off a complexion with curls and cues, and all that.

Tap.—I've a famous hair-dresser.

Sir W.—And a cook——

Tap.—The best in the county.

Sir W.—Well, send your boot-catcher to me. I'll get these travelling trunks off my legs at any rate—

Tap.—I will, Sir—run, Fanny, and call him.

Enter Buskin as Boots.

Sir W.—Here, pull off these boots.

Busk.—Sartainly, Sur—sartainly, Sur.

Sir W.—And let them be cleaned well, d'ye hear.

Busk.—You may depend ant, Sir, I'll take every care on 'em.

Sir W.—I suppose you pick up a decent livelihood here.

Busk.—Carnation good, I do assure you, Sir: every gentleman tips us summat, we looks for it as natural as possible.

Sir W.—Well, that is devilish cool upon my soul.

Busk.—We never trusts in our little line of business, Sir—ready money is the thing.

Sir W.—This, Sir, is very impertinent.

Busk.—Don't yee say so—

Sir W.—Don't say so—why if you were in my place what would you say?

Busk.—What if I were you—I'd say, Jemmy my boy, you are an honest fellow, and there's a shilling for you to drink.

Sir W.—Drink—why, fellow, you're drunk already.

Busk.—Yes I knows that, Sir.

Sir W.—Why are you so Sirrah?

Busk.—Because I ha been drinking all day, I don't like to be idle.

Sir W.—And arn't you ashamed to ask for more money.

Busk.—No, I'm not the least shameful about it.

Sir W.—Why don't you buy yourself cloaths—you are in rags.

Busk.—Ise out at the elbows sure

sure enough, and yet I pays as much for clothes as a great many fine folk do—but I can't buy any—for my honor hinders me.

Sir W.—Your honor!

Busk.—Yes, for when a gemman like your worship says Jemmy there's a shilling to drink—it would not be like an honourable man to go and spend it for any thing else——

Sir W.—Well there, there, get along—be sure you take pains about the boots.

Busk.—You may depend on't—you'll find I understand the true polish, and, as far as blacking goes will prove myself a *shining* character—good day t'ye.——good day, Sir— [*Exit.*

Sir W.—I suppose now that in England is called civility—in India I have been so unused to the sturdy independence of my own countrymen, that I really can't well brook the freedom with which I am accosted———Ha? who have we here!——

Enter Buskin as Waiter. (He lays the cloth, and sets the table in order.)

Busk.—Please your honor, I'm head waiter—devilish useful fellow—lay cloth—wash glasses—talk scandal—draw corks—pack tavern quarts into pint bottles—clean plate, and serve up a dinner as handy as the best of 'em—my brother-groom to the hunt as tight a lad as myself—and if so be as how you've any bits of blood with you—

Sir W.—No, sir, I've no horses here, sir, I'm obliged to you.

Busk.—Wou'd you like to purchase, sir? he has got a pair of as pretty greys, sir, as ever you sat behind, fifteen and an inch, sound wind and limb, beautiful action, and so timid, a lady might drive 'em.

Sir W.—Sir, I——don't want any horses.

Busk.—Plenty to do here, I assure ye, sir; what with the fight this week, and the races next, we lugs 'em in—here—pretty sharpish, sir; I do assure you.

Sir W.—What! a fight?

Busk.—Yes, sir, between two as prime fellows as ever went into a ring—200's the match—betting three to one on the young one.

Sir W.—And do the gentlemen allow it?

Busk.—Allow it, sir? Lord love you, sir, they likes it—they're seasoned, sir—pepper and salt, vy you don't think, sir, fellows vou'd be fools enough to lick one another, if they var'nt back'd—every body 'll be there—the whole county 'll be—mustard, sir—I'll go your halves, sir—if you hear any bets, snap 'm—ketch-up sir—and if you have a mind to hedge, I'll make it worth your while—shall I turn the table, sir—

Sir W.—Send me the hair dresser.

Busk.—Yes sir—bless my heart, I must run down stairs—and look after the gentleman that's back'd to walk eleven months without stopping—he begins his match to day—and I must go and serve him out his breakfast of raw rump stakes, to keep up his vind.

Enter Buskin, as French Hair-Dresser.

Ah, Monsieur je suis—I am—indeed—votre tres humble serviteur—vary much at your service, mi lor.

Sir W.—A Frenchman, egad—all in style.

Busk.—I can dress de wig—tie de wig—make de wig—cue scratch or bob—tail or cue—ha!—a very long head you have got, mi lor—

Sir W.—So every body says.

Busk.

Busk.—And a damn'd thick one—shall I commence wid your hair a la mode de Londres, or a la mode Paris—dere is great difference—de one generally wear cropped heads—but de oder have dere heads cropped—Ha—ha—dereby hang a tale as they say—you be crop, mi lord?

Sir W.—Don't my lord me, its as if you were making game of me—Its what I have been trying for ever since I came from India.

Busk.—Permettez moi—to—Ha, ha—what the devil shall I do when he asks for the cook *(aside)* I put a towell here si vous plait, monsieur—very pretty village—you shave? fine veader sare here—ah, 'tis vary fine time of de year—le printems est le plus agreable de toutes les saisons, every ting is so lively, de tings are so lively, dey skip and dey skip—

Sir W.—Well but——

Busk.—If you like to fish, I'll introduce you to the fish pond—Ha, ha—fort bien—fine river in dis neighbourhood—fine little misses—here pretty, pretty, pretty—

Sir W.—Where the devil is this cook? I ordered him up and he's not come——

Busk.—What the devil shall I do *(aside)*.

Sir W.—Why don't you call him, Sirrah?

Busk.—I'll send my garcon—my little boy for him—Francis! Yes, papa *(as child)*. Put down the basin and call the cook, *(as Frenchman)*. Put down the basin, papa *(as child)*. Yes, I tell you *(as Frenchman)*. Very well, papa—don't be angry *(as child)*. *(Buskin throws down the bason)*. There you awkward little dog—I have sent him.

Sir W.—Why I never saw your little boy; where the devil did he come in?

Busk.—A la porte, Monsieur—with me—he is a very clever little man, and very fond of his papa.

(Here he powders him very much, and changing his dress behind Sir Walter, appears on the other side of him as the Cook).

Buskin *as Cook*.—Here am I, sir: here's the bill of fare.

Sir W.—What have you got in the house?

Busk. *(as cook)*—Every thing, Sir.

Sir W.—Some turbot.

Busk.—Turbot---no Sir, we hav'nt no turbot---the wind's easterly---you'll excuse me.

Sir W.—Oh, well a fowl and some tongue?

Busk.—We have no fowls, Sir---and the tongue runs short.

Sir W.—Psha, then a mutton chop, I dont care.

Busk.—There's not a chop in the——

Sir W.—The deuce—go on Mounsheer—hare, hare—can you dress hare.

Busk.—Oh yes, I can dress hare.

Sir W.—Or a calf's head?

Busk.—I can dress a calf's head famously.

Sir W.—Let me see—there go on Mounsheer with my hair. *(while he is reading, he puffs powder in his eyes over his shoulder), the bustle is here kept up by the characters till it bursts into a quartetto* (which see in our Poetry.)

There are also some entertaining scenes between Mathews and Liston. The latter displayed his peculiar humour with great effect in the caricature of a Country Dancing Master, to whom the Innkeeper has determined to marry his sister Fanny. Buskin, however, invents a story, which induces the Dancing Master to break off the match, and

 as

as the Innkeeper has never seen his intended brother-in-law, he pretends to be the cousin of the bridegroom, come to announce his sudden death. Hence the title *Killing no Murder*. The dialogue is upon the whole well written, and contains some happy allusions and repartees.

The representation of this piece was completely successful, and it was given out for repetition with general approbation.

THE FOUNDLING OF THE FOREST.

Monday night, July 10, a new Operatical Play was performed the first time, at the Haymarket Theatre, entitled *The Foundling of the Forest*.

DRAMATIS PERSONÆ.

Count de Valmont	Mr. Young.
Baron Longueville.....	Mr. Eyre.
Florian, a foundling adopted by De Valmont..............	Mr. Jones.
Bertrand, Valet to Longueville	Mr. Farley.
L'Eclair, Valet to Florian................	Mr. Liston.
Gaspard, an old domestic	Mr. Grove.
Bravoes in the pay of Longueville.	
Sanguine,............	Mr. Smith.
Lenoir,..............	Mr. Noble.
Geraldine, Niece to De Valmont...........	Mrs. Gibbs.
Rosabelle, her woman..	Mrs. Liston.
Monica, an old peasant	Mrs. Davenport.
Unknown Female.....	Mrs. Glover.

It is written by Mr. Dimond, author of *Adrian and Orrila*, and several other dramatic pieces; the music incidental to the play composed by Mr. Kelly.

The plot, although simple, is developed with some skill, and is sufficiently interesting; it is "a tale of horror," in the style of the German romances, founded on the mysteries of the Secret Tribunals:—Baron Longueville has engaged a fellow of the name of Bertrand, by the tie of an *oath*, to perpetrate whatever villanies his master may command. By means of this instrument he sets fire to the castle of Count de Valmont, while the Count himself is absent, with the intention of destroying his wife and child, in order to get possession of the Valmont estates. The lady, however, miraculously escapes with her infant, whom she leaves in a forest, where he is found by his father. The grief of De Valmont, the schemes of the person to murder the lady and her son, the repentance of Bertrand, and the happy clearing up of all perplexities by the meeting of the Count and his wife, and the discovery of the son by an *indelible mark* on his hand, form the business of the play.

The piece is liable to some critical objections, but the author, upon the whole, rendered the story highly interesting; and in the last scenes of the first and second acts, he proved himself a master in the art of stage effect. Young gave much force to the principal character. Mrs. Glover did every justice to the *Mad Countess*; Liston was a *Dragoon*, whose wit consisted in the application of technical military language to common affairs.

The music is pleasing and appropriate, and in many parts original, and is, on the whole, highly creditable to the author. A dance is very judiciously introduced in the second act, in which Mr. C. Dubois and Miss Johnson appear to great advantage. With these attractions, "*The Foundling of the Forest*" met with a most favourable reception; inconsistencies and blemishes were slightly passed over; and its second representation was announced amidst a tumult of applause.

COURT

COURT MARTIAL,

ON

OFFICERS OF THE FIRST SOMERSET MILITIA.

IN consequence of the opinion of a Court of Inquiry having been laid before the Commander in Chief, a General Court-Martial was held at Bristol, a short time since, for the purpose of trying Captains Porch, Adney, Cooke, Clutterbuck, and Graves, of the First Somerset regiment of Militia, upon the following charges, exhibited against them by Major-General Warde:

1. For holding an irregular meeting on the 5th of February, and agreeing together to make a partial and injurious report of the conduct of Major Jolliffe, then commanding the said regiment at Bristol, and of Major Yea, to Earl Powlett, the Colonel.

2. For maliciously conspiring with others to stigmatise the characters of Majors Jolliffe and Yea, for not having engaged in a duel, in consequence of a quarrel which had taken place between them on the 4th of February, although they knew the affair had been amicably and honourably adjusted.

The Court, after having heard evidence in support of the prosecution, and what the prisoners had to offer in their defence, found Captains Porch, Cooke, Adney, Clutterbuck, and Graves, guilty of the charges, and adjudged them to be dismissed from the First regiment of Militia, which sentence has been confirmed by his Majesty; but in consequence of Capt. Graves's service of thirty-nine years, his never having been placed in arrest, and the excellent character given him, his Majesty has commuted the sentence of dismissal from the First Somerset Militia, to suspension from rank and pay for three calendar months, with an admonition.

HINT TO DUELLISTS.

To the Editors of the Sporting Magazine.

GENTLEMEN,

HAVING for some time been a reader of your entertaining work, I take the liberty of submitting the following idea, which has very often occurred to me, respecting duelling.

I believe it to be true, that the *greater* part of those gentlemen who send challenges upon trivial occasions are *excellent shots;* and the greater number of the challenged are indifferent ones. Those who are in the habit of *snuffing a candle* with the pistol, would not, I think, call others out, were they *unconscious* of their own *superiority* —I mean upon slight occasions.

I therefore wish to convey, through your Magazine, the following hint, which is, for each party, as soon as he has taken the ground, to be *blindfolded;* this would put bad and good shots upon *equal terms,* and, in my humble opinion, prevent many duels.

I am, gentlemen, your most obedient servant, W. A. T.

Hereford, 15th July, 1809.

HEWISON VERSUS SOUTHWELL.

A HORSE CAUSE,

Tried at Lincoln Summer Assizes, 1809.

THE plaintiff is a farmer at Scrivelsby, and the defendant a considerable horse-dealer. The declaration

claration stated, that the defendant sold to the plaintiff a bay horse (for 50l.) which, after some time, was found to be a crib-biter, and returned to the horse-dealer as unsound on that account: the horse was accepted on his return, and the defendant promised to refund the 50l. which he had received for it; but had not paid, and refused to pay more than 40l. The action was to recover the residue.

The plaintiff made out his case by witnesses; but the defendant completely overturned it by evidence of the original contract being rescinded; of the appointment of arbiters by the plaintiff and defendant to accommodate the matter between them; and of the decision, that if the horse did not, on sale at an approaching fair, fetch so much as Hewison had originally paid the defendant, the loss in the difference of price should be borne equally by them, and the cost of the horse's keep for some months be charged to the plaintiff.—Verdict for the defendant.

COCKING.

NEWCASTLE.

IN the race week, a long main of cocks was fought at Mr. Loftus's pit, between Sir H. T. Vane, Bart. (Lister, feeder) and C. Brandling, Esq. (Varley, feeder) which was won by Mr. Brandling, by five ahead. The byes were even. The main consisted of 23 battles, and 12 byes.

On Thursday in the race week, a subscription gold cup, value 120l. was fought for by cocks belonging to gentlemen of the county of Durham, and won by Mr. Greenwell, of Ford.

STAMFORD.

During the races, a main of cocks was fought between the gentlemen of Middlesex, (Fleming, feeder) and the gentlemen of Lincolnshire and Leicestershire (Faulkner, feeder), for 10gs. a battle, and 100gs. the main, which consisted of 28 main, and 15 bye battles.—Statement of three days:

Fleming.	M.	B.	*Faulkner.* M.	B.
Tuesday	5	4	4	1
Wednesday	4	0	5	5
Thursday	6	3	4	2
	15	7	13	

NANTWICH.

During the races, a main of cocks was fought between the gentlemen of Cheshire, (Gilliver, feeder) and the gentlemen of Staffordshire, (Gosling, feeder) for 2gs. a battle and 200gs. the main, of which the following is a statement:

Gilliver.	M.	B.	*Gosling.* M.	B.
Tuesday	4	0	8	0
Wednesday	6	0	6	0
Thursday	5	0	7	0
	15	0	21	

PRESTON.

In the race week, a main of cocks was fought between the Earl of Derby, (Potter, feeder) and Richard Legh, Esq. (Gilliver, feeder) for 10gs. a battle, and 200gs. the main, which consisted of 36 battles, of which the following is a statement:

Potter.	M.	B.	*Gilliver.* M.	B.
Monday	5	3	9	1
Tuesday	1	2	6	0
Wednesday	4	1	3	1
Thursday	6	0	2	0
	16	6	20	2

BRIGHTON

BRIGHTON RACES.

THE following is an abridged statement of the sport at Brighton Races, which commenced on the 21st instant. A correct and detailed account will of course be given in the Racing Calendar of our next Magazine.

Friday.—The Plate value 100l. for all ages, four miles, was won by Sir G. Webster's br. c. Bacchanal, beating Lord Egremont's Scorpion, and Mr. Forth's Sunbeam: a good race.

The Darlington Stakes of 200gs. each, h. ft. was won by Lord Jersey's Cock Robin, beating Sir C. Bunbury's colt by Whiskey: won by about a neck.

The Pavilion Stakes of 100gs. each, was won by Mr. Fermor's bl. f. by Sir Peter, beating Mr. Ladbroke's br. c. by Trumpator, his Royal Highness the P. of Wales's b. c. by Gohanna, and Lord Egremont's ch. c. by Gohanna.

Saturday, the last year of the Petworth Stakes of 10gs. each for all ages, was won by Lord Egremont's ch. h. Election, beating his Royal Highness the Duke of York's b. m. Nymphina: won by about a neck.

Sir Godfrey Webster's Hippomenes, 8st. beat Sir B. Graham's Cygnet, 8st. the last mile for 200gs. 7 to 4 on the winner; won easy.

Sir G. Webster's Hippomenes, 8st. 7lb. also beat Sir B. Graham's Cygnet, 8st. the last Mile, 200gs.: 10 to 1 on Hippomenes.

Monday, the Plate of 100gs. for all ages, was won by Mr. Ladbroke's Chester, beating Sir G. Webster's Hippomenes, Sir J. Shelley's Fanny, and Mr. Hughes's Squirrel: won easy.

The last year of a renewal of the Sweepstakes of 10gs. each, for three-year olds, was won by Lord Egremont's Cheshire-Cheese, beating the Duke of York's Brown Bess.

Sir J. Shelley's ch. f. Fanny, beat Lord Egremont's b. f. out of Lazy; three quarters of a mile, for 100gs.

Mr. Craven's g. g. Dragsman, 12st. beat Mr. Webster's b. g. Swing-Bar; last half mile, 50gs. rode by the owners: 3 to 2 on Mr. Craven at starting, who rode in a capital style.

RACES APPOINTED IN 1899.

HUNTINGDON	August	1
Chelmsford		1
Oxford		1
Worcester		1
Salisbury		2
Exeter		7
Nottingham		8
Newcastle-under-Lyme		8
Blandford		8
Tré-Madock		8
Barnet		9
Canterbury		15
Bodmin		15
Hereford		16
York		21
Reading		22
Taunton		22
Egham		29
Northampton		29
Warwick	Sept.	5
Pontefract		12
Litchfield		12
Kingscote		19
Lincoln		20
Leicester		20
Doncaster		25
Oswestry		26
Newmarket First October Meeting	Oct.	3
Second Oct. Meeting		16
Houghton Meeting		30

FEAST

FEAST OF WIT.

A Young Officer wishing to appear *something* among the rest in the first voyage which he made, had the hardiness to assert, that it was not the first time by several that he had been to sea. "No," answered one of his companions, who knew his former habits, "you have been to *Chel-sea*, and *Batter-sea*, and, I believe, in the *Marshal-sea* also.

Treason with a vengeance.—Mr. Whitaker, in his History of Manchester, relates, that in an early period of the English history, "two Dogs suffered Death for assaulting one of the Lions in the Tower, on the principle of its being *treason against royalty!*"

A THEATRICAL critic, remarking on the want of voice in a performer, it was observed by a by-stander, that it reminded him of the answer of a facetious friend, who, being asked where a brother wit was, who used to indulge his chin in a gulph of cravat, replied, "I don't know, I'm sure, but I believe he's in his neckcloth."

A DANCING-MASTER, who was in the habit of attending boarding-schools in the vicinity of London, having taken the liberty of *shaking* the children when they did not immediately answer his expectations, was interrupted in his practice by the governess, with this observation, "Sir, I pay you for *shaking your own elbow*; if ever you again presume to shake a child under my care, it will be the last *shake* you make in my house."

THE following story has lately been circulated at Portsmouth:—A gentleman from London had agreed with a landlord at Portsmouth for the use of three rooms, for which he was to pay a guinea per day; but immediately receiving a letter from home which demanded his instant attention in town, he wished to give up his lodgings, making some compensation to his host for the few hours he had occupied them; but Boniface would not abate any thing of the original agreement. A naval gentleman, who stood by, seeing the imposition about to be practised, offered to take the apartments on the original agreement, which tender was cheerfully acquiesced with. At night, he brought with him his boatswain and cabin boy, and gave them directions every three hours to *pipe all hands!* This order was punctually performed for three successive nights, to the annoyance of the landlord and his guests, who could not rest for the boatswain's pipe. The landlord remonstrated in vain; the guests threatened to leave an inn so dreadfully haunted; but the Captain was inflexible, until mine host informed him, with many cringes and bows, that he was willing to forego any charge for the three nights lodging, if the Captain would consent to sleep on board his ship, where he might *pipe all hands* as frequently as he pleased.

AN author reading his manuscript to a friend, for the purpose of obtaining his judgment in correcting it, the latter objected to the word

word *nonsense*, and wished to have it erased; this the author not being able to effect, he exclaimed, " I find I must keep *nonsense* in at last, to make *sense* of the rest."

A Poet conversing with a gentleman on literary topics, the conversation happened to turn on the first productions of various men of genius. " Johnson's first poetical effort was an epitaph on a duck (said the gentleman); you chose a nobler subject, as I think the first lines you ever wrote were on a *goose*." " Yes," returned the poet, " you are perfectly right; I remember I commenced my literary career, by writing an ode on *your birth-day*!"

A veteran soldier, being summoned to a court of justice, was so poor that he could not fee an advocate. Going up to Augustus in public, he requested his assistance: the Emperor ordered him a chosen advocate; but the soldier, bearing the scars of many wounds, exclaimed, " Cæsar, these speak that I did not fight for you by proxy."—Augustus felt the remark, appeared himself, and saved the soldier.

A Tried Character.—The *wife* of an old offender having been charged with doing something *amiss*, and confined in the House of Correction, in order for trial at the ensuing quarter sessions, the *husband* went to a respectable magistrate (in one of the northern counties) to intercede for his *rib*. He allowed that she had made many *mistakes*; but declared that he only wished to have her *cleared* that time, and, if she *went wrong* again, he would give her up.—" Take care of *yourself*," said the magistrate.—" Of myself, Sir! what can your Worship mean?"—" I mean, take care of *yourself*."—" Dear me! (rejoined the man) consider, Sir, *how often* I have been *before* you. If I had not been an *honest* man, how could I *now* be here?"—I *know* (returned the magistrate) you are a *tried character*, but I advise you not to rely upon *that*, but take care of *yourself*."

A Hoax.—A young man from the country being engaged in a mercantile house, some of the clerks, taking advantage of his simplicity, gave him a bill, among others, upon *Striker and Co.* in Fleet-street. His patience was nearly exhausted in endeavouring to find out this unknown firm, nor was he aware of the hoax, till a grave by-stander seriously assured him, there were no such persons as *Striker and Co.* in Fleet-street, excepting the two images that *strike* the hours at St. Dunstan's Church!

A late description of a celebrated watering-place, by way of recommending the hosts and hostesses, mentions a Mr. *Bear* as most remarkably *civil*; and a Mr. *Cramp* as an indefatigable *attendant* upon all his customers!

An author, disposed to be witty upon a bookseller who had intimated both the want of time and a disposition for reading, expressed his persuasion, that such works as the bookseller published *himself*, he certainly honoured with a perusal. " By no means, Sir," replied the latter: " you might as well expect an apothecary to take his own drugs."

A marriage took place lately, between a Mr. *Rose* and a Miss *Lilly*. This is what Dr. Darwin might justly term the *loves of the plants*.

SPORTING INTELLIGENCE.

WE can assure our numerous readers, that Grimaldi and Prospero are not matched to run at the ensuing York August Meeting, nor elsewhere, as stated in several newspapers.

CERVANTES and Wizard are the principal favourites for the St. Leger Stakes at Doncaster.

HIS Royal Highness the Prince of Wales is appointed Steward for the next Bibury Meeting.

IRVINE Races, which were run over Bogside Course, were attended by all the principal families in Ayrshire and the neighbouring counties. The assemblies and ordinaries were uncommonly well attended. Great betting took place, and three new stakes were proposed and subscribed to by the sporting nobility and gentry who attended the races.

ON Saturday before the Pontefract Meeting, Mr. T. B. Johnson's bay mare Jane Beverley, by Atlas, dam by Sir Peter, five years old, is matched against Mr. G. Neville's b. c. Venetian, by Cockfeeder, three years old, a quarter of a mile, for 50gs. The owners to ride.

Doncaster, 1809.—Saturday before the Meeting, Mr. T. B. Johnson's b. g. Robin Hood, by Beningbrough, dam by Jupiter, aged, is matched against Mr. G. Neville's bay colt Venetian, by Cockfeeder, dam by Lurcher, 3 yrs old, three miles, 200gs. h. ft. The owners to ride.

ON Tuesday, the 27th ult. were run for on Soberton Down, by the horses of the Portsdown Cavalry, two handsome cups of 50l. value each, and a military saddle and bridle; the first cup was won by Mr. Stewart's b. m. Moll of the Wad, at two heats; the second cup by Mr. Hoad's b. h. Contractor, at three heats. The race of one two-mile heat, for the saddle and bridle, afforded much sport, and was won by Mr. Wilkins's horse. The same day, a match for 50gs. was run between Mr. Stewart's brown gelding, by Worthy, against Mr. Germaine's brown mare, by Woodpecker, which was won by the former. The day was remarkably fine, and a numerous company were present. A dinner was provided on the ground for the corps, and the King's health was drank out of the cups.

THE end of last month, a match, which excited considerable interest, took place on the Harrow road, between an English and an Irish poney, ten miles, for one hundred guineas. The animals were rode by their owners, weighing nearly 12st. each, and bets were two to one on the English poney, but he was beat by a mile. The winner is out of the celebrated Podrien mare, and performed the distance in thirty-three minutes.

ON Thursday, the 6th instant, Mr. Verry, pork butcher, of Halfway Houses, Portsea, rode a horse, for a wager of one hundred guineas, from

from Portsmouth to London, in twelve hours. He accomplished the journey in five minutes less than the time given. The horse belongs to Mr. Lovell, of Portsmouth.

THE Duke of York, and a great company, were present at the races in Chatham Lines, on the 26th ult. The sport was resumed the next day, when the racing was excellent, and the company equally numerous as on the day previous.—An unfortunate accident occurred during the last race: four horses had started for a sweepstakes, they had been once round the course, and were coming in at their swiftest speed towards the distance ground, when a cow which had been driven into the field, with most inconsiderate and culpable carelessness, passing across the course, unfortunately one of the horses ran against her, and both came to the ground; the rider, a lad from Newmarket, was thrown with excessive violence over the horse's head, and was taken up senseless and carried to the hospital; it was a long time doubtful whether he would recover, but we are happy to hear that he is now considered to be out of danger. The horse, which sustained scarcely any injury, afterwards ran over a child, who was in consequence dangerously wounded in the head; he is also now in a fair way of recovery.

A GREY mare called *Mrs. Clarke*, has been successful at several provincial races in Ireland, beating *all* her adversaries, and winning the *King's Plates*.

ASS-RACE against Time.—This match took place the beginning of the present month, at Wilberfoss, on the Hull road. The money staked was 10gs. The ass was to go fourteen miles in two successive hours, carrying 9st.; which it performed in one hour, forty minutes, and forty-six seconds, with the greatest ease possible, amidst the shouts of a numerous concourse of spectators.—Balaam's jockey rode in a black cap, light-coloured nankeen waistcoat, and white flannel drawers.

EXTRAORDINARY RACE.—On Monday, the 24th instant, a bet of 150gs. was run for between two galloways, which were to set out from Wood's-gate, about four miles beyond Tunbridge, and run to Kent-street end, in the Borough, and back again, which is near fourscore miles, without baiting; and that which arrived first, dead or alive, was to be the winning horse. One of the horses, when he had about fifteen miles to run, dropped down dead; the other could only make a walk. The abettors of the dead horse procured a fish cart from some distance, mounted the dead horse upon the cart, set the rider upon his back, and with four horses galloped away at the rate of ten miles an hour, passed the living horse, arrived first, and was judged the winner—The first instance of a *dead horse* winning a match from a living one. Those who betted in favour of the living horse, when they discovered the intent of their opponents, endeavoured to avail themselves of the same artifice, but no other fish-cart was to be got, otherwise the wager would have been determined by a race between two fish-carts.

SPARRING.—At the Fives Court on the 28th ult. there was the best exhibition of self-defence ever exhibited in that Court, which was crowded with amateurs of the first order,

order. The best set-to ever seen in that Court was between young Belcher and George Head, a teacher. The place resounded with shouts at the dexterity exhibited. There was also a gratifying match between Cropley and Rowell, but to the advantage of the former.

On Monday, July 3, there was a grand display of gymnastic sports at the seat of George Hardy Sibley, Esq. at Rotherwick, Berks, to celebrate the day on which Mr. Sibley arrived of age. The sports began as early as six o'clock in the morning, with racing between the damsels of the village, and it did not conclude until twelve at night; several sheep having been roasted in the course of the day. Hampshire produced the best cudgel-player, who was rewarded with two guineas. Wiltshire produced the best wrestler, who won a hat; and a man of the name of Smart, from Kingswood, near Bristol, was pitted to box with one of any county. He was opposed by Flowers, from Berkshire, a professor of provincial note, and it was a resolute battle for above an hour and a half, when the Kingswood man won by superior science and equal bottom, but neither of the combatants again joined the jovial groupe; the battle was for a purse of five guineas.—It has been always a custom for the Sibley family to give these sports on arriving at the estate.

During the cocking at Nantwich, a fight took place in the pit, betwixt two gentlemen, one a townsman of Nantwich, and the other a Mr. John Mutton, a betting man, of Ashborn, in Derbyshire. Mr. Mutton the victor.—— Another circumstance of a similar kind took place on Thursday evening in the race-week betwixt one of the celebrated Staffordshire Jocks and an eminent Lawyer of the neighbourhood of Nantwich. The jock was crowned with the laurels of victory, after a severe fight.

On the second day of Lancaster races, there were *ten* boxing-matches; in which, if there were not much *science*, there was a great deal of *anger* displayed, and many hard blows were given and received in downright *earnest*.—There was also a wrestling match between two *gentlemen*, in which the garments of one of the combatants became an entire *wreck*.—All these *amusements* passed in the space of an hour,—which also exhibited some curious *sights*. Amongst these were, a man and a woman sleeping in the open air, and receiving the benefit of a fine refreshing shower!—Two men were also seen very civilly carrying out of the croud, upon a hand-barrow, a poor woman who seemed to have lost the use of every thing but her *tongue*, with which she was fervently cursing them for their *kindness!*

A boxing match was made a short time since, betwixt Smith, the contemporary of O'Donnel, and George Green, a rising fighter of the present day. The combatants had each beaten Dixon, the most celebrated on the list of his weight, which is two stone less than Green or Smith. The present combatants stood high on the list of second raters, and at one o'clock on Wednesday, the 19th, they met on the spot where Richman and Wood fought, near Kingston, with their seconds, Young Belcher and Blake for Green, and Jones and Clarke for Smith. Betting was five and six to four on Green. The contest

test was a disappointment to the amateurs, who mustered strongly, in expectation of a milling match worth seeing. The combatants fought shy of each other, but Green put in a stomacher in the second round, which doubled up his adversary, and rose the odds in his favour. This was the only hit of consequence Green placed during the combat; and Smith, whose greatest requisite is *ruffianing* his man, seemed as much lost. He fought careful and hit but seldom, but he won the match, which was for twenty guineas, in three quarters of an hour, without much harm to either party. — Another battle, much better contested than the former, was fought between Lennox, a playful little fighter of the old school, and a novice, which was won by Lennox.

A RUFFIAN-LOOKING fellow was severely punished on the 13th inst. at Hyde Park Corner, for cruel treatment to a little dog. He had dragged the poor animal a considerable distance with a cord, and when it could go no further, in consequence of fatigue (it was remarkably fat), the inhuman monster kicked it before him like a foot ball. A gentleman, who felt for the sufferings of the dog, immediately stopped the fellow, and remonstrated on the cruelty of his conduct. This interference produced only a volley of oaths and the worst epithets; he even threatened to assault the gentleman, who was at last compelled to defend himself, as no police officer could be found to take the ruffian in charge. Fortunately the friend of the canine sufferer had studied in a pugilistic school, and in the course of five minutes he gave the fellow such a drubbing, that he felt a few of the pangs which he had inflicted on the dog. One of his eyes was closed, and his head bore strong marks of the power of his adversary. He was put in a coach and sent home, sufficiently chastised for his insolence and inhumanity. It is almost unnecessary to add, that the gentleman's conduct met with general approbation.

Two men, named Yates and Holmes, who were respectably situated, went out to decide a dispute by the fists, on Westbourne Common, on Saturday the 15th, when, after a conflict of an hour and a half, Yates fell, and on being conveyed to the King's Head public-house, he died within an hour, occasioned by the rupture of a blood vessel.

CAPTAIN Aiken has displayed his agility on the Twickenham Road, in a race of a quarter of a mile, for fifty guineas. The bet was, that the Captain did not do the quarter of a mile in one minute and twenty seconds; but he went off at score, and performed the match in five seconds less than the given time.

ON Tuesday, the 26th ult. the Brighton Shepherd, and a person of the name of Vickers, of Ullam, ran a quarter of a mile, near Sheffield, for a bet of forty guineas, which was won by the latter by two or three yards. Two to one on the Shepherd before starting.

THE walking mania has extended itself to the northern part of Lincoln, and a feat has been attempted at Grimsby, which has hardly a precedent for strength and resolution. Mr. Hawkes, gunsmith, of that place, who had matched himself to walk 72 miles a day for fourteen successive days, started on Friday,

Friday, the 30th ult. on a piece of *uneven* ground, in the East Marsh, only half a mile in length, and which was intersected by two dry deep ditches. He commenced the undertaking at four o'clock in the morning. After dinner, in consequence of having drank some cold ale and porter, he was taken ill; he, however, soon recovered; and, notwithstanding the disadvantages he had to encounter, completed the first day's arduous task at a quarter before eleven at night. Next morning he recommenced his labours at a quarter after five, on the same ground, but consented, at the general request of the spectators, to have planks laid across the ditches. At three o'clock on Sunday morning, he had walked the further distance of 72 miles. At seven o'clock he started again, but was prevented from proceeding by one of the Magistrates. On Monday morning, at four o'clock, he resumed the task; and before four o'clock on Tuesday morning, had performed the further distance of 72 miles. Having sprained his ancle, he was unable to start on Tuesday, and gave up the undertaking.

ANOTHER match is made for 1000 guineas, between Jones, who performed a wonderful match against Williams, on the Hereford road, and a person of the name of Edwards. The match is eight miles, and is to take place at Newmarket on the 21st of August.—The winner is backed to go the distance in forty-five minutes.

A GENTLEMAN of the name of Edwards will bet 1000 guineas, to go 100 miles in 24 successive hours; after that he will undertake to go from London to York, and back again, in six days.

THE exploit performed by Captain Barclay, has excited great emulation among the pedestrian heroes, but of all the Captain's rivals, the most formidable is one who has stated his pretensions in an advertisement to the following effect:—"Whereas it is the general report of people, that no Englishman can perform such a task as Captain Barclay has. Gentlemen, JOHN BULL, aged 32, a native of Somersetshire, will undertake, if any gentleman will back him, to walk 1500 miles in 1000 hours, in walking one mile and a half in every hour. Any gentleman willing to back him, address a line, post paid, &c. &c."

LATELY, William Mather, a prisoner in Lancaster Castle, undertook, for the sum of one guinea, to walk 1470 times round the pillars under the Piazza, which is the distance of thirty-five measured miles, in ten successive hours; he started at six o'clock in the morning, and finished his task precisely at two o'clock, having two hours to spare. The last mile he walked in nine minutes and thirty-nine seconds.—He rested himself twenty minutes to take a little refreshment, consequently he walked over the ground in seven hours and forty minutes.

A GENTLEMAN of the name of Howe started at Cliffe Common, Somersetshire, to perform the Barclay match of 1000 miles in 1000 hours. At the end of fifteen days he resigned the task, and thus lost his stake of 300 guineas, besides his health being much injured.

Two races took place the 26th instant, on the Newcross Road, betwixt Captain Aiken and a Mr. Sullivan; the former having undertaken to go a mile in five minutes, and run Mr. Sullivan a mile, with

with the interval of one minute only betwixt the starts. The Captain did his mile in two seconds under the given time, and after resting the minute, he did the other mile in five minutes and twenty-five seconds, and beat his adversary by about a hundred yards. The wagers were twenty guineas each.

A RESIDENT of the city of Chester, of the name of Sirr, better known in the annals of sporting fame by the name of Old Sirr, has undertaken, for a wager of 500 guineas, to perform 1000 miles in 1000 successive hours, upon the Barclay plan. Odds are, in general, much against him, from his extreme old age; but the knowing ones back him pretty confidently, from his approved *game*. The Chester race-ground is expected to be the scene of action. He has already commenced training, under the direction of Mr. Jolly, a respectable butcher, of pugilistic fame, and well known upon the turf.

MONDAY morning, the 24th, a shoe-maker, of the name of Letwhich, about forty years of age, undertook, for a wager of ten guineas, to go on foot from Whitechapel Church to Epping, being a distance of sixteen miles and a half, in two hours, and to return back in the evening in the same time.—He won by four minutes in the morning, and seven minutes in the evening.

A YOUNG *Divine*, in the vicinity of Edinburgh, is said to have undertaken, for a wager of 100gs. to read six chapters from the Bible, every hour for six weeks, ; bets are ten to one against him.

THE latter part of this month, a young man of the name of Drayton, undertook for a considerable sum, to pull in a pound weight, at the distance of a mile: that is, the weight to be attached to a string a mile in length, and he to stand still and pull it to himself. The time allowed for this singular performance was two hours and a half.—The odds were against him, but he won his wager.

ON Tuesday, the 18th, a person of the name of Taylor, a printer, in Chester, undertook for a wager of a guinea, to pick up 100 stones, and return individually with them to a basket placed at the commencement of the distance, each stone being one yard asunder, in the space of 47 minutes: he accomplished the ardous task in 44½ minutes, and a few seconds, to the full satisfaction of the spectators present. The distance is nearly five miles and three-quarters.

A GRAND pigeon match took place on Monday, July 3, for 100 guineas a side, between three of Surrey and three of Bucks, on Southend Common, Bucks. The gentlemen of Bucks had the first fire, and killed nineteen birds from a trap, at twenty yards; those of Surrey killed eighteen, and consequently the former were declared the victors. Middlesex has challenged either county.

A match of pigeon shooting took place in the neighbourhood of Kilburn this month, between H. Aldridge, Esq. the renowned snipe-shooter, of Bracknel, Berks, and a Captain Smith, also a celebrated shot, for 100 guineas. The parties shot at the usual distance of twenty-one yards, and Mr. Aldridge killed nineteen of his birds, and hit the whole twenty-one. The Captain missed his first, fourteenth, and twentieth

twentieth birds, and consequently the Squire won the match, and afterwards challenged all England.

A MATCH at cricket was played the 7th and 8th instant, on Winchester race-down, between eleven players of Preston Candover, and the eleven who played against the gentlemen of Winchester a short time since. The former won the match by a single wicket.

A MATCH of cricket was played at Eastry, Kent, on Wednesday, the 19th inst. by eleven gentlemen of the Dover Club, and eleven of Eastry parish, which was won by the Eastry gentlemen, with two wickets to go down.

FRIDAY, the 14th inst. a cricket match was played at Horsham, between Horsham and Ockley, which was won by the latter, having five wickets to go down.

ON Wednesday the 10th, a remarkably fine sturgeon was caught in the Ribble, about a mile from Preston. It weighed 204lbs. and measured upwards of eight feet long, and was sold in the market at 1s. per pound.

IN the town of Ulverston there is a dog, which has been taught the manual exercise, and which he goes through with the greatest promptitude. His manœuvres are performed with a small hazel rod instead of a musket.

TUESDAY morning, the 18th instant, the gamekeeper of F. Newbery, Esq. of Heathfield-park, found four full-grown young pole-cats, in one of his vermin-traps, and the state of the earth round about it evidently proved, that the old ones had, in vain, used great exertions for their liberation.

A MELANCHOLY accident happened on Tuesday, the 18th instant, on the race-course at Totness, Devonshire. Between the heats for the 30l. plate, a saddle and bridle were run for by hacks; when a man, rather intoxicated, attempting to cross the course while the horses were running, was unfortunately knocked down by one of them, and so severely injured, that he died next morning. He never spoke after the accident but just to tell his place of abode, and that he had a wife and four children. He remained speechless afterwards till his dissolution. His melancholy fate, however, did not at all interrupt the sport.

As Sir John and Lady Lade, were going down Hampstead Hill on Friday, the 21st instant, on their way to Hendon, in a curricle, the pole came out of the splashing leather, and, falling against the horses, set them kicking and running at full speed. In this perilous situation, Lady Lade jumped out of the curricle and fell, but received little hurt; Sir John kept his seat until the foot-board was kicked off and the harness broken, when finding that he had no command, he leaped from the curricle, and was much bruised from the fall; the horses continued running furiously to Sir John's house with the curricle, a distance of near four miles, and entering the yard, got into a pond, from which they were got out with difficulty, very much cut about the legs, but not otherwise hurt. Sir John and Lady Lade were both bled, but fortunately have received no very serious injury.

POETRY.

POETRY.

THE HIGH COURT OF DIANA.

SIMON LEE, THE OLD HUNTSMAN.

With an Incident in which he was concerned.

IN the sweet shire of Cardigan,
Not far from pleasant Ivor-Hall,
An old man dwells, a little man—
I've heard he once was tall.
Of years he has upon his back,
No doubt, a burthen weighty;
He says he is threescore and ten,
But others say he's eighty.

A long green liv'ry coat has he,
That's fair behind, and fair before,
Yet, meet him where you will, you see
At once that he is poor.
Full five-and-twenty years he liv'd
A running huntsman merry,
And, though he has but one eye left,
His cheek is like a cherry.

No man like him the horn could sound,
And no man was so full of glee;
To say the least, four counties round
Had heard of Simon Lee:
His master's dead, and no one now
Dwells in the hall of Ivor;
Men, dogs, and horses, all are dead—
He is the sole survivor.

And he is lean, and he is sick,
His dwindled body's half awry;
His ancles they are swoln and thick,
His legs are thin and dry.
When he was young, he little knew
Of husbandry or tillage,
And now he's forc'd to work, tho' weak,
The weakest in the village.

He all the country could outrun,
Could leave both man and horse behind,
And often, ere the race was done,
He reel'd, and was stone-blind.
Yet still there's something in the world
At which his heart rejoices,
For when the chiming hounds are out,
He dearly loves their voices!

His hunting feats have him bereft
Of his right eye, as you may see;
And then, what limbs those feats have left
To poor old Simon Lee!
He has no son, he has no child;
His wife, an aged woman,
Lives with him, near the waterfall,
Upon the village common.

Old Ruth works out of doors with him,
And does what Simon cannot do;
For she, not over stout of limb,
Is stouter of the two:
And, though you with your utmost skill
From labour could not wean them,
Alas! 'tis very little, all
Which they can do between them.

Beside their moss-grown hut of clay,
Not twenty paces from the door,
A scrap of land they have, but they
Are poorest of the poor.
This scrap of land he from the hea[th]
Enclos'd when he was stronger;
But what avails the land to them,
Which they can till no longer?

Few months of life has he in store,
As he to you will tell,
For still the more he works, the more
His poor old ancles swell.
My gentle reader, I perceive
How patiently you've waited,
And I'm afraid that you expect
Some tale will be related.

O Reader! had you in your mind
Such stores as silent thought can bring,
O, gentle reader! you would find
A tale in ev'ry thing.
What more I have to say is short—
I hope you'll kindly take it:
It is no tale; but should you think,
Perhaps a tale you'll make it.

One summer day, I chanced to see
This old man, doing all he could
About the root of an old tree,
A stump of rotten wood.
The mattock totter'd in his hand;
So vain was his endeavour,
That at the root of the old tree
He might have work'd for ever.

"You're overtask'd, good Simon Lee—
Give me your tool," to him I said;
And at the word right gladly he
Receiv'd my proffer'd aid.
I struck, and with a single blow
The tangled root I sever'd,
At which the poor old man so long,
And vainly, had endeavour'd.

The tears into his eyes were brought,
And thanks and praises seem'd to run
So fast out of his heart, I thought
They never would have done.
I've heard of hearts unkind, kind deeds
With coldness still returning—
Alas! the gratitude of man
Has oft'ner left me mourning.

G. T.

SONGS

In the new Opera of "Up All Night."

OLD Flam was a lawyer so grim,
He married his maid, people say,
But scarce was the honeymoon dim,
When the Devil cried, "Flam come away!"
Oh, oh, story of woe, when the Devil cried Flam, &c.

How she wish'd that the tear-drop would fall,
But poor Mrs. Flam could not weep;
And soon in a black velvet pall
She popp'd the old Lawyer to sleep.
Oh, oh, &c. &c.

She thought of her love as she lay,
When the ghost of the late Mr. Flam,
In his green velvet cap, came to say,
"Phoo, nonsense, your grief is all sham."
Oh, oh, &c. &c.

Quoth she, "Ghost, I'm no longer thine,
I wont lie alone in the dark,
For to-morrow, at half after nine,
Mr. Flam, I shall marry your Clerk."
Oh, oh, &c. &c.

Sung by Mrs. Mountain.

OH! roses are sweet on the beds where they grow,
Fresh spangled with dews of the morn;
On Nature's kind bosom in safety they glow,
Protected by many a thorn.
There awhile, in full richness, exists the sweet flower,
Till its fast-falling leaves drop around;
There soon of the charms of the pride of the bower,
There's nought but the thorns can be found.
Ah! roses are sweet, but sweet roses will fade!

So fares it with beauty, in life's early prime,
When arm'd with stern rigour the breast;
It blooms, in cold pride, fresh and sweet for a time,
Then sinks into age, still unblest!
Beware then, ye maids, with too cautious an art
How you guard your soft breast from Love's woes.
Lest apathy, spreading like thorns round your heart,
You at last drop alone like the rose.
For roses are sweet, but sweet roses will fade!

Sung by Mrs. Bishop.

IN vain I strive, with aspect gay,
To hide an aching heart!
Nor cheerful song, nor roundelay,
Nor pleasures of the festive day,
To me can joy impart.

I cherish'd love, and thought 'twere plain
That love must peace impart;
But found, too late, that hope was vain;
It was but sorrow, care, and pain,
I cherish'd in my heart.

DUETTO,

Sung by Mr. and Mrs. Liston, in the new Play of the

FOUNDLING OF THE FOREST,

As Rosabelle and L'Eclair.

Rosabelle.

TELL, soldier, tell! and mark, you tell me truly,
How oft in battle have you slain a foe?

L'Eclair.

L'Eclair.
Go, count the leaves when winds are heard unruly,
In autumn that from mighty forests blow.

Rosabelle.
Did e'er a captain, worth a costly ransom,
Own you his conqueror in the deadly broil?

L'Eclair.
I've twigg'd field-marshals, pickings snug and handsome;
Twelve waggons now are loaded with my spoil.

Both.
Oh! loudly, proudly, sound the soldier's fame!
Oh! flashy, dashy, flaunt the soldier's dame!

Rosabelle.
Tell, soldier, tell! and mark, you tell me truly,
Did foreign maids ne'er win your roving vow?

L'Eclair.
O! blood and fire!—I swear I can't speak coolly;
By Mars! to you, and only you, I bow.

Rosabelle.
Say, shall love's chain of blossoms hold for ever?
Nor time, nor absence, bid its bloom depart?

L'Eclair.
Not sword, or gun, such magic links can sever,
Or rend from Rosabelle her hero's heart.

Both.
Oh! loudly, proudly, &c.

SONG, *sung by Mr. Liston.*
(FROM THE SAME.)

A Landlady of France, she loved an officer, 'tis said,
And this officer he dearly loved her brandy, oh!
Sigh'd she, "I love this officer, although his nose is red,
And his legs are what his regiment call bandy, oh."

But when the bandy officer was order'd to the coast;
How she tore her lovely locks that look'd so sandy, oh?
"Adieu my soul!" says she, "if you write, pray pay the post,
But before we part, let's take a drop of brandy, oh!"

She fill'd him out a bumper, just before he left the town,
And another for herself, so neat and handy, oh!
So they kept their spirits up, by their pouring spirits down,
For love is, like the cholic, cured with brandy, oh!

"Take a bottle on't," says she, "for you're going into camp;
In your tent, you know, my love, 'twill be the dandy, oh!"
"You're right," says he, "my life! for a tent is very damp;
And 'tis better, with my tent, to take some brandy, oh!"

QUARTETTO,

Sung by Messrs. Mathews, Groves, and Tayler, and Miss Kelly, as Buskin, Sir Walter Wilton, Tap, and Fanny, in the new Farce of

KILLING NO MURDER.

Sir Walter.
WHAT the Devil shall I do, Sir?
Landlord, landlord, where's the waiter?

Buskin.
—Ah Monsieur je suis a vous, Sir,

Sir Walter.
Oh, you curs'd eternal prater.

Buskin (on the left as the Cook.)
Mutton, beef, veal, fowl, or ham, Sir.
Turtle soup, or ribs of lamb, Sir.

Sir Walter.
Where's the barber—

Buskin (on the right, as the Barber.)
Monsieur ici.

Sir Walter.
Where's the cook—

Buskin (on the left as the Cook).
Here I be.

Sir Walter.
Such noise and such tumult my senses confound;
My head with the bustle is just turning round.

Buskin,

Buskin (holding his head.)
No, no, it must not go round.

Enter Fanny and Tap.

Fanny.
The old one believes him.

Tap.
How well he deceives him.

Sir Walter.
Why, landlord, I say.

Fanny, Tap, and Buskin.
Coming—Coming—Coming.

Sir Walter.
What's to pay?
I'll away.

Tap and Fanny.
Oh, Sir, you're not going—

Sir Walter.
Yes, yes, but I will.

Fanny.
Oh, no, I forbid it.

Tap, Fanny, Buskin, and Sir Walter.

Keep him here,	I'll go away.
There's nought to fear	I will not stay.
Away.—Huzza.	I'll go away.

SONG, *sung by Mr. Liston.*

(FROM THE SAME.)

(Tune—"Heigho says Rowley!")

THIMBLE's scolding wife lay dead;—
"Heigho!" says Thimble,
"My dearest duck's defunct in bed;
[illegible] has cabbag'd her—Oh, she's fled!
With her roley, poley, gammon and spinage,
Heigho!" says Thimble.

Thimble buried his wife that night!—
"Heigho!" says Thimble;
"I grieve to sew up my heart's delight,"
With her diamond ring on her finger tight!
And her roley, poley, &c.

To saw off her finger, and steal the ring,
Soon came the sexton;
She sat up an end, and she gave a fling,
Crying, damme, you dog, you steal no such thing;
With your roley, poley, &c.
And off run the sexton.

She stalk'd to her home, and she made a din;
"Heigho!" cried Thimble;
Then popp'd out his head, and said with a grin,
"You are dead, dearest duck; and I can't let you in;"
With your roley, poley, &c.

ANACREONTIC.

"*Tecum vivere amem.*"—HORACE.

GO, Boy, bring the cup,
Fill, fill it quite up;
Let us troll out the catch and the song;
Stern Care can't annoy us,
Whilst, jovial and joyous,
Unheeded Time passes along.

But why is my breast
A stranger to rest?
Oh why is my heart quickly panting?
Why sparkles the eye?
Why heaves the soft sigh?—
Alas! 'tis sweet WOMAN that's wanting.

LOTHARIO.

TO ZEPHYR.

ZEPHYR, whither art thou straying?
Tell me where:
With prankish girls in gardens playing,
False as fair:
A Butterfly's light back bestriding,
Queen Bees to honeysuckles guiding,
Or in a swinging hair-bell riding,
Free from care.
Before Aurora's car you amble
High in air;
At noon, when Neptune's sea-nymphs gambol,
Braid their hair;
When on the tumbling billows rolling,
Or on the smooth sands idly strolling,
Or in cool grottos they lie lolling,
You sport there.
To chase the moon-beams up the mountains,
You prepare;
Or dance with elves on brinks of fountains,
Mirth to share:
Now seen with love-lorn lilies weeping,
Now with blushing rosebuds sleeping,
Whilst Fays from forth their chambers peeping,
Cry, Oh rare.